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(54) Title: NUCLEIC ACID VACCINES FOR PREVENTION OF FLAVIVIRUS INFECTION

## (57) Abstract

The invention encompasses nucleic acid molecules containing transcription units which encode the flavivirus M and E protein antigens. The flaviviruses include Japanese encephalitis virus, dengue, yellow fever virus and St. Louis encephalitis virus. The nucleic acids function to provide the M and E protein antigens when the nucleic acid resides in an appropriate host cell, especially when the host cell is the cell of a subject. The invention also encompasses a vaccine whose active agent is the nucleic acid. The invention further encompasses the cultured host cells when they contain within them nucleic acid molecules containing the transcription units. The invention in addition encompasses a method of immunizing a subject against flavivirus infection by administering to the subject an effective amount of a vaccine containing a nucleic acid molecule containing the transcription unit of the invention.

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## NUCLEIC ACID VACCINES FOR PREVENTION OF FLAVIVIRUS INFECTION

### Field of the Invention

This invention relates to novel vaccines for flaviviruses. In particular, the 5 vaccines are recombinant nucleic acids which contain genes for structural proteins of flaviviruses, such as Japanese encephalitis virus (JEV). These vaccines serve as a transcriptional unit for the biosynthesis of the virus protein antigens when administered in vivo.

### Background of the Invention

10 Flaviviruses are members of the genus Flavivirus, which is classified within the family Flaviviridae. The flaviviruses are largely pathogenic to humans and other mammals. Flaviviruses that inflict disease on humans include yellow fever virus, JEV, dengue virus (including the four serotypes dengue-1, dengue-2, dengue-3 and dengue-4), tick-borne encephalitis virus, St. Louis encephalitis virus (SLEV), and others. 15 Altogether there are about 70 species currently identified (Kuno et al., J. of Virol. 72: 73-83 (1998)).

The flaviviruses generally contain three structural proteins: M, the matrix or membrane protein; E, the envelope protein; and C, the capsid protein. (Monath, in "Virology" (Fields, ed.), Raven Press, New York, 1990, pp. 763-814; Heinz and

20 Roehrig, in "Immunochemistry of Viruses II: The Basis for Serodiagnosis and Vaccines" (van Regenmortel and Neurath, eds.), Elsevier, Amsterdam, 1990, pp. 289-305). M has a molecular weight (MW) of about 7-8 kDa; and E has a MW of about 55-60 kDa. M is synthesized as a larger precursor termed prM. The additional portion of prM is processed in the host cell to form M prior to secretion of mature virions. M 25 and E are found in the membrane or envelope of the flavivirus particle, and so have long been considered to constitute important immunogenic components of the viruses.

The flaviviruses are RNA viruses whose single stranded RNA has a length among the various species, of about 10 kb. The C protein, whose MW is 12-14 kDa, complexes with the RNA to form a nucleocapsid complex. Several nonstructural

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proteins are also encoded in the RNA genome; they are termed NS1, NS2A, NS2B, NS3, NS4A, NS4B and NS5. The genome is translated within the host cell as a polyprotein, then processed co- or post-translationally into the individual gene products by viral- or host-specific proteases (Figure 1).

5 The nucleotide sequences of the genomes of several flaviviruses are known, as summarized in U. S. Patent 5,494,671. That for JEV is provided by Sumiyoshi et al. (Virology 161:497-510 (1987)) and Hashimoto et al. (Virus Genes 1, 305-317 (1988)). The nucleotide sequences of the virulent strain SA-14 of JEV and the attenuated strain SA-14-14-2 used as a vaccine in the People's Republic of China are compared in the  
10 work of Nitayaphan et al. (Virology 177: 541-552 (1990)).

Nucleotide sequences encoding the structural proteins of other flavivirus species are also known. In many cases the sequences for the complete genomes have been reported. The sequences available include dengue type 1 virus (Mason et al., Virology 161:262-267 (1987)), dengue type 2 virus (Deubel et al., Virology 155:365-377  
15 (1986); Gruenberg et al. J. Gen. Virol. 69, 1391-1398 (1988); Hahn et al. Virology 162, 167-180 (1988)), dengue type 3 virus (Osatomi et al., Virus Genes 2:99-108 (1988)), dengue type 4 virus (Mackow et al., Virology 159:217-228 (1987), Zhao et al Virology 155, 77-88 (1986)), and yellow fever virus (YFV)(Rice et al., Science 229:726-733 (1985)).

20 Many flaviviruses including JEV are transmitted to humans and other host animals by mosquitoes. They therefore occur over widespread areas, and their transmission is not easily interrupted or prevented. JEV affects adults and children, and there is a high mortality rate among infants, children, and the elderly, in areas of tropical and subtropical Asia (Tsai et al., in "Vaccines" (Plotkin, ed.) W.B. Saunders.  
25 Philadelphia, Pa. 1994, pp. 671-713). Among survivors, there are serious neurological consequences, related to the symptoms of encephalitis, that persist after infection. In more developed countries of this region such as Japan, the Republic of China, and Korea, JEV has been largely controlled by use of a vaccine of inactivated JEV. Nevertheless, it is still prevalent in other countries of the region.

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Dengue virus disease is also mosquito-borne, occurring globally in regions with tropical and sub-tropical climates. Symptoms include fever, rash, severe headache and joint pain, but mortality from dengue is low. Epidemics of dengue virus are sufficiently frequent and widespread that the disease represents a major public health problem.

5 Nevertheless, safe and effective vaccines to protect against dengue are not available, despite decades of effort. There thus is a strong need for a vaccine against dengue.

Yellow fever is prevalent in tropical regions of South America and sub-Saharan Africa, and is transmitted by mosquitos. Infection leads to fever, chills, severe headache and other pains, anorexia, nausea and vomiting, with the emergence of 10 jaundice. A live virus vaccine, 17D, grown in infected chicken embryos, is considered safe and effective. Nevertheless, there remains a need for a vaccine that avoids the necessity of administering live virus, with its attendant development of mild symptoms and viremia.

The vaccines available for use against JEV include live virus inactivated by such 15 methods as formalin treatment as well as attenuated virus (Tsai et al.). Whole virus vaccines, although effective, do have certain problems and/or disadvantages. The viruses are cultivated in mouse brain or in cell culture using mammalian cells as the host. Such culture methods are cumbersome and expensive. Furthermore, there is the attendant risk of incorporating antigens from the host cells, i.e., the brain or other host, 20 into the final vaccine product, potentially leading to unintended and undesired allergic responses in the vaccine recipients. There is also the risk of inadvertent infection among workers involved in vaccine production. Finally, there is the risk that the virus may not be fully or completely inactivated or attenuated, and thus, the vaccine may actually cause disease.

25 A recombinant flavivirus which is a chimera between two flaviviruses is disclosed in WO 93/06214. The chimera is a construct fusing non-structural proteins from one "type", or serotype, of dengue viruses or a flavivirus, with structural proteins from a different "type", or serotype, of dengue virus or another flavivirus. The second flavivirus may be JEV.

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Several recombinant subunit and viral vaccines have been devised in recent years. U. S. Patent No. 4,810,492 describes the production of the E glycoprotein of JEV for use as the antigen in a vaccine. The corresponding DNA is cloned into an expression system in order to express the antigen protein in a suitable host cell such as 5 *E. coli*, yeast, or a higher organism cell culture. U. S. Patent No. 5,229,293 discloses recombinant baculovirus harboring the gene for JEV E protein. The virus is used to infect insect cells in culture such that the E protein is produced and recovered for use as a vaccine.

U. S. Patent No. 5,021,347 discloses a recombinant vaccinia virus into whose 10 genome the gene for JEV E protein has been incorporated. The live recombinant vaccinia virus is used as the vaccine to immunize against JEV. Recombinant vaccinia and baculoviruses in which the viruses incorporate a gene for a C-terminal truncation of the E protein of dengue type 2, dengue type 4, and JEV are disclosed in U. S. Patent 5,494,671. U. S. Patent 5,514,375 discloses various recombinant vaccinia viruses 15 which express portions of the JEV open reading frame extending from prM to NS2B. These pox viruses induced formation of extracellular particles that contain the processed M protein and the E protein. Two recombinants encoding these JEV proteins produced high titers of neutralizing and hemagglutinin-inhibiting antibodies, and protective immunity, in mice. The extent of these effects was greater after two 20 immunization treatments than after only one. Recombinant vaccinia virus containing genes for the M and E proteins of JEV conferred protective immunity when administered to mice (Konishi et al., *Virology* 180: 401-410 (1991)). HeLa cells infected with recombinant vaccinia virus bearing genes for prM and E from JEV were shown to produce subviral particles (Konishi et al., *Virology* 188: 714-720 (1992)). 25 Dmitriev et al. report immunization of mice with a recombinant vaccinia virus encoding structural and certain nonstructural proteins from tick-borne encephalitis virus (*J. Biotechnol.* 44: 97-103 (1996)).

Recombinant virus vectors have also been prepared to serve as virus vaccines for dengue fever. Zhao et al. (*J. Virol.* 61, 4019-4022 (1987)) prepared recombinant 30 vaccinia virus bearing structural proteins and NS1 from dengue type 4 and achieved

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expression after infecting mammalian cells with the recombinant. Similar expression was obtained using recombinant baculovirus infecting target insect cells (Zhang et al. J. Virol. 62, 3027-3031(1988)). Bray et al. (J. Virol. 63, 2853-2856 (1989)) also report a recombinant vaccinia dengue vaccine based on the E protein gene that confers 5 protective immunity on mice when challenged to develop dengue encephalitis. Falgout et al. (J. Virol 63, 1852-1860 (1989)) and Falgout et al. J. Virol. 64, 4356-4363 (1990) report similar results. Zhang et al. (J. Virol 62, 3027-3031 (1988)) showed that recombinant baculovirus encoding dengue E and NS1 proteins likewise can protect mice against dengue encephalitis when challenged. Other combinations in which 10 structural and nonstructural genes are incorporated into recombinant virus vaccines fail to produce significant immunity (Bray et al. J. Virol. 63, 2853-2856 (1989)). Also, monkeys failed to develop fully protective immunity to dengue virus challenge when immunized with recombinant baculovirus expressing the E protein (Lai et al. (1990) pp. 119-124 in F. Brown, R. M. Chancock, H. S. Ginsberg and R. Lerner (eds.) "Vaccines 15 90: Modern approaches to new vaccines including prevention of AIDS", Cold Spring Harbor Laboratory, Cold Spring Harbor, NY).

Immunization using recombinant DNA preparations has been reported for St Louis encephalitis virus (SLEV) and dengue-2 virus using weanling mice as the model (Phillpotts et al., Arch. Virol. 141: 743-749 (1996); Kochel et al., Vaccine 15: 547-552 20 (1997)). Plasmid DNA encoding the prM and E genes of SLEV provided partial protection against SLEV challenge with a single or double dose of DNA immunization. In these experiments control mice exhibited about 25% survival, and no protective antibody was detected in the DNA immunized mice (Phillpotts et al.). In mice that received three intradermal injections of recombinant dengue-2 plasmid DNA containing 25 prM, 100% developed anti-dengue-2 neutralizing antibodies, and 92% of those receiving the corresponding E gene likewise developed neutralizing antibodies (Kochel et al.). Challenge experiments using a two-dose schedule, however, failed to protect mice against lethal dengue-2 virus challenge.

The vaccines developed to date for immunizing against JEV have a number of 30 disadvantages and problems attending their use. Inactivated virus vaccine is costly and

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inconvenient to prepare. In addition, it carries the risk of allergic reaction originating from proteins of the host used in preparing the virus. Furthermore, it presents considerable risk to the workers employed in their production. Candidate attenuated JEV vaccines are undergoing clinical trials but as of 1996 have not found wide acceptance outside of the People's Republic of China (Hennessy et al., *Lancet* 347: 1583-1586 (1996)). Recombinant vaccines based on the biosynthetic expression of only certain of the proteins of the JEV genome appear not to induce high antibody titers, and, as with the whole virus preparations, carry the risk of adverse allergic reaction to antigens from the host organism, or to the vaccinia virus vector, as the case may be. Similar problems attend the preparation of vaccines against YFV. Vaccine development against dengue is less advanced, and such virus-based or recombinant protein-based vaccines face similar problems as those just alluded to.

There is therefore a need for vaccines directed against flaviviruses such as yellow fever, dengue, JEV, and SLEV which are inexpensive to prepare, present little risk to workers involved in their manufacture, carry minimal risk of adverse immunological reactions due to impurities or adventitious immunogenic components, and are highly effective in eliciting neutralizing antibodies and protective immunity. There is furthermore a need for a vaccine against JEV and related flaviviruses that minimizes the number of immunizing doses required.

20

### Summary of the Invention

The present invention provides a nucleic acid molecule which contains a transcriptional unit (TU) for an immunogenic flavivirus antigen. The TU directs a host cell, after being incorporated within the cell, to synthesize the antigen. In an important aspect of the invention, the flavivirus is either yellow fever virus (YFV), dengue type 1 virus, dengue type 2 virus, dengue type 3 virus, dengue type 4 virus, St. Louis encephalitis virus (SLEV), or Japanese encephalitis virus (JEV). In important embodiments of the present invention, the antigen may be the flavivirus M protein, the E protein, or both. In particular, when the TU is for both the M and E proteins, the host cell secretes subviral particles containing the M and E antigens. In a further

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important aspect of the invention, the nucleic acid is a DNA molecule. In additional significant embodiments, the nucleic acid TU includes a control sequence disposed appropriately such that it operably controls the expression of the M and E antigens; this control sequence may advantageously be the cytomegalovirus immediate early 5 promoter. In an additional embodiment the transcriptional unit also includes a poly-A terminator.

The present invention further provides a host cell harboring a nucleic acid molecule which includes a transcriptional unit for an immunogenic flavivirus antigen that directs the host cell to synthesize the immunogenic antigen. The flavivirus may be 10 YFV, dengue type 1 virus, dengue type 2 virus, dengue type 3 virus, dengue type 4 virus, SLEV, or JEV. In important embodiments, the antigen may be the M protein, the E protein, or both the M and the E proteins; in the latter case, the cell secretes subviral particles containing the M and E antigens.

Additionally the invention provides a composition for vaccinating a subject 15 against a flavivirus containing a nucleic acid molecule that includes a transcriptional unit for an immunogenic flaviviral antigen. The transcriptional unit directs a cell within the body of the subject, after being incorporated therein, to synthesize the immunogenic antigen. The composition further includes a pharmaceutically acceptable carrier. In significant embodiments, the flavivirus may be yellow fever virus, dengue type 1 virus, dengue type 2 virus, dengue type 3 virus, dengue type 4 virus, SLEV, or JEV. Furthermore, the antigen may be the M protein, the E protein, or both the M and the E 20 proteins; in the latter instance the cell secretes subviral particles comprising the flavivirus M and E antigens. In important embodiments, the nucleic acid molecule is a DNA molecule. In further significant embodiments, the transcriptional unit additionally 25 contains a control sequence disposed appropriately such that it operably controls the expression of the M and E antigens when the nucleic acid is introduced into the cell of the subject; advantageously the control sequence is the cytomegalovirus immediate early promoter. In a still further embodiment, the transcriptional unit also includes a poly-A terminator.

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The invention provides still further a method of immunizing a subject against infection by a flavivirus. The method involves administering to the subject an effective amount of a vaccinating composition that contains a nucleic acid molecule which includes a transcriptional unit for an immunogenic flavivirus antigen. The 5 transcriptional unit directs a cell within the body of the subject, after being taken up by the cell, to synthesize the immunogenic antigen. The composition additionally includes a pharmaceutically acceptable carrier. In significant embodiments of the method, the flavivirus may be yellow fever virus, dengue type 1 virus, dengue type 2 virus, dengue type 3 virus, dengue type 4 virus, SLEV, or JEV. In yet other important aspects of the 10 method, the antigen may be the M protein, the E protein, or both the M and the E proteins. When the antigen is both the M and the E proteins, the cell within the body of the subject, after incorporating the nucleic acid within it, secretes subviral particles comprising the flaviviral M and E antigens. Additionally, in significant embodiments of the method, the vaccinating composition is administered to the subject in a single dose. 15 and is administered via a parenteral route. In yet a further aspect of the method, the nucleic acid is a DNA molecule. In yet additional embodiments of the method, the transcriptional unit further includes a control sequence disposed appropriately such that it operably controls the expression of the M and E antigens; in a significant aspect of this embodiment, the control sequence is the cytomegalovirus immediate early 20 promoter. Furthermore, the transcriptional unit may further include a poly-A terminator.

These aspects and embodiments of the invention are the basis for its distinct attributes and advantages. Being a nucleic acid construct involving only portions of the flavivirus genome rather than the sequence encompassing the complete genome, the 25 nucleic acid TU-containing vaccine is completely nonviable. It therefore poses no danger of infection by the flavivirus to those involved in its manufacture, and none to subjects receiving the vaccine. The nucleic acid vaccine is easy to prepare and to administer, and is stable to storage prior to use. Unexpectedly it has been found that the nucleic acid vaccine of the invention is essentially 100% successful in conferring 30 protective immunity in mammals after administering only a single dose. A further

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unexpected result is that the nucleic acid TU is able to engender immunity to a flavivirus in a female mammal which can be transmitted to its progeny through the milk. Without wishing to be limited by theory, the inventor believes that a possible mechanism for the success of the nucleic acid in conferring protective immunity is that 5 a host cell harboring the nucleic acid, such as the cell of a subject to whom the vaccine is administered, produces subviral particles containing the flaviviral M and E antigens. These particles may closely mimic the immunogenic attributes of virulent flaviviruses themselves.

#### Brief Description of the Drawings

10 Figure 1 is a schematic representation of flaviviral polyprotein processing. The central horizontal region provides a schematic representation of the viral genome. The lines denote the 5' and 3' non-translated regions and the boxed regions represent the open reading frame for structural (left and top) and non-structural (right and bottom) proteins. Cleavage by host cell signalase occurs simultaneously with translation at the 15 E protein C-terminus separating structural and non-structural regions. A subtilase-like cellular enzyme, furin, may be responsible for prM cleavage. Potential transmembrane domains of viral polyprotein are indicated by shaded areas

Figure 2 presents a map of the JEV genome (top), the DNA sequence of oligonucleotides used in a reverse transcriptase-polymerase chain reaction (PCR) 20 (center) to construct the transcription unit for the expression of prM-E protein coding regions (bottom). Potential transmembrane domains of viral polyprotein are indicated by shaded areas.

Figure 3 shows a schematic representation of the plasmid vectors, pCDNA3, pCBamp, and pCIBamp, and the relationship between them. These plasmids include 25 the CMV (cytomegalovirus) promoter/enhancer element, BGHp(A) (bovine growth hormone polyadenylation signal and transcription termination sequence), ampicillin resistance gene and ColE1 origin of replication for selection and maintenance in *E. coli*. The f1 origin of replication for single-stranded rescue in *E. coli* cells, SV40 origin replication (SV40 ORI), neomycin resistance coding region, and SV40p(A) sequences

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were deleted from pCDNA3 to generate pCBamp. An intron sequence was inserted in the NcoI-KpnI site of pCBamp to generate plasmid pCIBamp. The multiple cloning site for the insertion of genes for flaviviral structural proteins, located between the TATA box of the CMV promoter/enhancer and BGhp(A), is shown.

5 Figure 4 shows SDS-PAGE-immunoblot analyses of the sucrose gradient purified subviral particles from JE-4B COS-1 culture fluid (4B, right lane of each pair). The density gradient purified JE virion from JEV infected C6/36 cell culture was used as a positive control (JEV, left lane of each pair). JE HIAF (hyperimmune ascitic fluid): 4G2, anti-E monoclonal antibody; JM01, anti-M monoclonal antibody; NMAF 10 (normal mouse ascitic fluid).

Figure 5 shows a profile of the E antigen in a rate zonal sucrose gradient analysis prepared from the PEG precipitate of JE-4B cell culture medium with or without Triton X-100 treatment.

15 Figure 6 is a map of the yellow fever virus (YFV) genome (top) and the DNA sequence of oligonucleotides (center) used in a reverse transcriptase-PCR to construct the transcription unit for the expression of YFV prM-E protein coding regions (bottom). Potential transmembrane domains of viral polyprotein are indicated by shaded areas.

20 Figure 7 is a map of the St. Louis encephalitis virus (SLEV) genome (top) and the DNA sequence of oligonucleotides (center) used in a reverse transcriptase-PCR to construct the transcription unit for the expression of SLEV prM-E protein coding regions (bottom). Potential transmembrane domains of viral polyprotein are indicated by shaded areas.

25 Figure 8 shows photographs of YF or SLE viral proteins detected by an indirect immunofluorescent antibody assay (IFA) using either YFV or SLEV HIAF. Viral proteins prM and E were expressed in COS-1 cells transformed by pCDYF2 or pCDSLE4-3, respectively.

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### Detailed Description of the Invention

The invention encompasses nucleic acid transcriptional units which encode flaviviral antigenic proteins, such as the M and E protein antigens. The nucleic acids function to express the M and E protein antigens when the nucleic acid is taken up by an appropriate host cell, especially when the host cell is the cell of a subject. The invention also encompasses a vaccine whose active agent is the nucleic acid transcriptional unit (TU). The invention further encompasses the cultured host cells when they contain within them a nucleic acid TU. The invention in addition encompasses a method of immunizing a subject against flaviviral infection by administering to the subject an effective amount of a vaccine containing the nucleic acid TU molecules.

As used herein, "nucleic acid transcriptional unit" or "nucleic acid transcriptional unit molecule" relates to a nucleic acid encoding one or more specified genes. The TU has the biological activity that, after having been introduced into a suitable host cell, the nucleic acid induces the biosynthesis of one or more specified gene products encoded by the specified gene or genes. The gene product(s) is(are) other biological macromolecules, such as proteins, not chemically related to the TU. The nucleic acid TU induces the cell to employ its cellular components to produce the specific gene product or products whose gene or genes are contained in the TU.

Although any nucleic acid may serve as a TU, in a preferred embodiment, the TU is the DNA of a plasmid or similar vector, wherein the plasmid or vector encompasses in addition coding sequences for marker genes or other sequence constructions that facilitate experimentation and biosynthesis of the TU.

As used herein, a "control sequence" is a regulatory nucleotide sequence incorporated within a nucleic acid TU which interacts with appropriate cellular components of the host cell and leads to enhanced or activated biosynthesis of the gene products encoded by the TU. Thus a suitable control sequence is one with which the components of the host cell have the capability to interact, resulting in stimulated synthesis of the gene product. When operably disposed in a nucleic acid with respect to

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a specified gene, a control sequence effectively controls expression of the specified gene.

As used herein, a "promoter" is a nucleotide sequence in a nucleic acid TU which serves as a control sequence.

5 As used herein, a "terminator" is an extended nucleotide sequence which acts to induce polyadenylation at the 3' end of a mature mRNA. A terminator sequence is found after, or downstream from, a particular coding sequence.

As used herein, a "host cell" is a prokaryotic or eukaryotic cell harboring a nucleic acid TU coding for one or more gene products, or into which such a TU has 10 been introduced. Thus a host cell harbors a foreign or heterologous substance, the TU, which is not naturally or indigenously found in it as a component. A suitable host cell is one which has the capability for the biosynthesis of the gene products as a consequence of the introduction of the TU. In particular, a suitable host cell is one which responds to a control sequence and to a terminator sequence, if any, that may be included within 15 the TU. In important embodiments of the present invention, the host cell is a mammalian cell. In particularly important embodiments of this invention, the host cell is a naturally occurring cell in the body of a human or nonhuman subject to whom (which) the TU has been administered as a component of a vaccine. Alternatively, in analytical, or diagnostic applications, or for demonstrative purposes, the mammalian 20 cell may be a human or nonhuman cell cultured in vitro.

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As used herein, a "vaccine" or a "composition for vaccinating a subject" specific for a particular pathogen relates to a preparation, which, when administered to a subject, leads to an immunogenic response in a subject. As used herein, an "immunogenic" response is one that confers upon the subject protective immunity 25 against the pathogen. Without wishing to be bound by theory, it is believed that an immunogenic response may arise from the generation of neutralizing antibodies, or from cytotoxic cells of the immune system, or both. As used herein, an "immunogenic antigen" is an antigen which leads to an immunogenic response when it is introduced into a subject, or, as in the case of the present invention, when it is synthesized within 30 the cells of a host or a subject. As used herein, an "effective amount" of a vaccine or

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vaccinating composition is an amount which, when administered to a subject, is sufficient to confer protective immunity upon the subject. Historically, a vaccine has been understood to contain as an active principle one or more specific molecular components or structures which comprise the pathogen, especially its surface. Such structures may include surface components such as proteins, complex carbohydrates, and/or complex lipids which commonly are found in pathogenic organisms.

As used herein, however, it is to be stressed that the terms "vaccine" or "composition for vaccinating a subject" extend the conventional meaning summarized in the preceding paragraph. As used herein, these terms also relate to the nucleic acid TU molecule of the instant invention or to compositions containing the TU. The TU induces the biosynthesis of one or more specified gene products encoded by the TU within the cells of the subject, wherein the gene products are specified antigenic proteins of the pathogen. The biosynthetic antigens then serve as the immunogen. As already noted, the TU, and hence the vaccine, may be any nucleic acid that bears specified genes for the specified immunogenic antigens. In a preferred embodiment of this invention, the TU of the vaccine is a DNA. The TU may be a plasmid or vector incorporating additional genes or particular sequences for the convenience of the skilled worker in the fields of molecular biology, cell biology, and viral immunology (See "Molecular Cloning: A Laboratory Manual", 2nd Ed., Sambrook, Fritsch and Maniatis, 15 Cold Spring Harbor Laboratory, Cold Spring Harbor, NY, 1989; and "Current Protocols in Molecular Biology", Ausubel et al., John Wiley and Sons, New York 1987 (updated quarterly), which are incorporated herein by reference).

The nucleic acid TU molecules of the instant invention designate nucleic acids, or derivatives of nucleic acids, whose nucleotide sequences encode specific gene products related to antigenic proteins of flaviviruses such as JEV, dengue, yellow fever virus and St. Louis encephalitis virus. Although any nucleic acid may serve as a TU, in an important embodiment, the TU is a DNA. Alternatively, the nucleic acids may be RNA molecules. They may also be any one of several derivatives of DNA or RNA whose backbone phosphodiester bonds have been chemically modified to increase the 25 stability of the TU as a pharmaceutical agent. Modifications so envisioned include, but 30

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are not limited to, phosphorothioate derivatives or phosphonate derivatives; these and other examples of derivatives are well known to persons skilled in the field of nucleic acid chemistry.

JEV is an RNA virus whose genome has been characterized and sequenced (see 5 Figures 1 and 2). The gene for the M structural gene includes a pre-M sequence (prM) which is translated intracellularly. This sequence allows assembly of JEV particles intracellularly. The pre-M sequence is then cleaved from the gene product to yield virus particles containing mature M proteins prior to secretion. Related flaviviruses, such as YFV, dengue, and SLEV, have similar genomic structures and functions (see, 10 for example, Figures 6 and 7).

An important TU for flaviviral M and E proteins in the instant invention is a DNA. In accord with the discussion in the preceding paragraph, this DNA encodes the gene for M comprising the pre-M sequence as well; it also encodes the gene for the E protein. In this way the intended gene products are enabled to form subviral particles 15 within the host cell. The host cell then may cleave the pre-M sequence in a fashion analogous to that which occurs with respect to replete virions.

In order to function effectively in vivo as a vaccine, it is advantageous to include within the nucleic acid TU a control sequence that has the effect of enhancing or promoting the translation of the sequences encoding the antigens. Use of such 20 promoters is well known to those of skill in the fields of molecular biology, cell biology, and viral immunology (See "Molecular Cloning. A Laboratory Manual", 2nd Ed.,

Sambrook, Fritsch and Maniatis, Cold Spring Harbor Laboratory, Cold Spring Harbor, NY, 1989, and "Current Protocols in Molecular Biology", Ausubel et al., John Wiley and Sons, New York 1987 (updated quarterly)). Since the nucleic acid TU is intended 25 for use as a vaccine in a mammalian host, the promoter to be employed is preferably one which operates effectively in mammalian cells. Such a promoter is disposed with respect to the genes whose translation is to be promoted, at a position at which it may operably promote such translation. In a significant embodiment of the instant invention, this promoter is the cytomegalovirus early promoter. In addition, in a further 30 preferred embodiment of the invention, the genes are followed, in the TU nucleic acid,

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by a terminator sequence (Sambrook et al.). Particular embodiments of the invention relate to both prokaryotic and eukaryotic host cells. Many promoter sequences are known that are useful in either prokaryotic or eukaryotic host cells. (See Sambrook et al.)

5 Preparation of the nucleic acid TU of the invention is readily accomplished by methods well known to workers of skill in the field of molecular biology. Procedures involved are set forth, for example, in Sambrook, Fritsch and Maniatis, Cold Spring Harbor Laboratory, Cold Spring Harbor, NY, 1989, and "Current Protocols in Molecular Biology". Ausubel et al., John Wiley and Sons, New York 1987 (updated 10 quarterly). The flaviviral RNA molecule may be isolated from a sample of live virus by methods widely known among virologists familiar with flaviviridae, for example, and with other groups of viruses as well. Methods used with JEV are summarized in Kuno et al. (1990). The RNA is used as a template for the synthesis of cDNA using reverse transcriptase. From the cDNA, a fragment containing the pre-M through E gene (see 15 Figure 2) may be obtained by digestion with restriction nucleases known to cleave the cDNA appropriately to provide such fragments. Examples of restriction digestion of JEV, for example, are provided in Nitayaphan et al. (1990) and Konishi et al. (1991). Incorporation of promoters, such as the cytomegalovirus promoter, and of the 20 polyadenylation signal, is likewise well known to skilled practitioners in molecular biology and recombinant DNA engineering. When a nucleic acid molecule harboring a TU containing the desired genes and control sequences is prepared, it may be obtained in larger quantities by methods that amplify a nucleic acid fragment. Such methods are widely known to workers skilled in molecular biology and recombinant DNA engineering. Examples of these methods include incorporation of the nucleic acid 25 fragment into a plasmid for replication by culturing in a cell such as a prokaryotic cell and harvesting the plasmid after completing the culture, as well as amplification of the nucleic acid fragment by methods using the polymerase chain reaction. These examples are not intended to limit the ways in which the nucleic acid containing the TU may be obtained.

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The TU-containing nucleic acid molecules of the instant invention may be introduced into appropriate host cells in many ways well known to skilled workers in the fields of molecular biology and viral immunology. By way of example, these include, but are not limited to, incorporation into a plasmid or similar nucleic acid vector which is taken up by the host cells, or encapsulation within vesicular lipid structures such as liposomes, especially liposomes comprising cationic lipids, or adsorption to particles that are incorporated into the host cell by endocytosis.

In general, a host cell is a prokaryotic or eukaryotic cell harboring a nucleic acid TU, or into which such a TU molecule has been introduced. The TU of the present invention induces the intracellular biosynthesis of the encoded E and M antigens. A suitable host cell is one which has the capability for the biosynthesis of the gene products as a consequence of the introduction of the nucleic acid. In particular embodiments of the invention, a suitable host cell is one which responds to a control sequence and to a terminator sequence, if any, which may be included within the TU. In order to respond in this fashion, such a host cell contains within it components which interact with a control sequence and with a terminator and act to carry out the respective promoting and terminating functions. When the host cell is cultured in vitro, it may be a prokaryote, a single-celled eukaryote or a mammalian cell. In particular embodiments of the present invention, the host cell is a mammalian cell. In these cases, the synthesized E and M protein gene products are available for use in analytical, or diagnostic applications, or for demonstrative purposes.

In favorable circumstances, such as when the host cell is a cultured mammalian cell, the E and M antigens are secreted in the form of subviral particles. These are aggregates of E and M proteins resembling live virus in surface ultrastructural morphology and immunogenic properties. Since the nucleic acid TU of the invention does not include the remainder of the flaviviral genome, however, there is no capsid incorporated, and most importantly, no infectious viral RNA.

In another important embodiment of this invention, the host cell is a natural cellular component of the subject to whom the TU has been administered as a vaccine. The nucleic acid TU, when so administered, is understood to be taken up by the cells of

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the subject, whereby those cells become host cells as used herein. The subject's cells have the capability of responding to any promoter sequences, and terminator, if present. In any case, the TU nucleic acid induces the subject's cells to synthesize flaviviral E and M gene products. Without wishing to be constrained by theoretical considerations, it is

5 believed that the subject's host cells produce subviral particles *in vivo* consisting of the M and E antigens, just as has been found to occur with cultured mammalian host cells *in vitro*. Such subviral particles, it is believed, then serve as the *in vivo* immunogen, stimulating the immune system of the subject to generate immunological responses which confer protective immunity on the subject. Again without wishing to be limited

10 by theory, the resulting protective immunity may arise via either humoral or cellular immunity, i.e., via either an MHC class II- or class I-restricted mechanism, respectively, or by both mechanisms.

According to the invention, subjects may be immunized against infection by flaviviruses, such as JEV, YFV, dengue, and SLEV, by administering to them an

15 effective amount of a nucleic acid TU encoding genes for the M and E antigens. The nucleic acid, after being incorporated into the cells of the subject, leads to the synthesis of the flaviviral M and E antigens.

In order to administer the nucleic acid TU to the subject, it is incorporated into a composition which comprises as well a pharmaceutically acceptable carrier. Such

20 carriers are well known to those of skill in pharmaceutical science. They include water for injection, and common physiological buffers (Remington, *Pharmaceutical Sciences*). They may also include vesicle or liposome structures, especially those containing cationic lipids, as is known to skilled workers in the fields of pharmaceutical science and immunology.

25 An effective amount of a vaccinating composition is readily determined by those of skill in the field of viral immunology to be an amount which, when administered to a subject, confers protective immunity upon the subject. In order to undertake such a determination, the skilled artisan may assess the ability to induce flaviviral M- and E-specific antibodies and/or flaviviral M- and E-specific cytotoxic T lymphocytes present

30 in the blood of a subject to whom the vaccine has been administered. One may in

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addition determine the level of protective immunity conferred upon an experimental animal by challenge with live JEV. Such challenge experiments are well known to workers of skill in viral immunology. In general, in order to immunize a subject against infection by JEV, YFV, dengue, or SLEV, according to the present invention, and

5 recognizing that the nucleic acid TU molecules employed in such methods may have differing overall sizes, doses ranging from about 0.1  $\mu$ g/kg body weight to about 50  $\mu$ g/kg body weight may be used.

It has unexpectedly been found that a TU of the present invention which is a DNA confers protective immunity at a level of effectiveness approximating 100% after

10 administration of only a single effective dose of the TU. This is in contrast to many immunization methods carried out using conventional vaccines (as described above), which frequently require one or more booster vaccinations and which may not confer protective immunity to an effectiveness near 100%.

It has further been found unexpectedly that protective immunity may be

15 transmitted from a vaccinated female subject to the offspring of the subject. A significant proportion of neonatal mice was shown to be protected against viral challenge after their mothers were vaccinated using the TU DNA of the invention. Without wishing to be limited by theory, it is known that passive immunity may be conferred on neonatal mammals due to the presence in maternal milk of neutralizing

20 antibodies specific for various pathogens. It is possible that the protective immunity against JEV found with the neonates was transmitted to them in this way.

Particular embodiments of the present invention are set forth in the examples which follow. These examples are not intended to limit the scope of the invention as disclosed in this specification.

25

### Examples

General methods utilizing molecular biology and recombinant DNA techniques related to preparing and expressing the nucleic acid TU molecules of the invention are set forth in, for example, "Current Protocols in Molecular Biology", Ausubel et al., John Wiley and Sons, New York 1987 (updated quarterly), and Molecular Cloning: A

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Laboratory Manual 2nd Ed., Sambrook, Fritsch and Maniatis, Cold Spring Harbor Laboratory, Cold Spring Harbor, NY, 1989.

Example 1. Preparation of recombinant plasmids containing the transcriptional unit encoding JEV prM and E antigens. Genomic RNA was extracted from 150  $\mu$ L of JEV strain SA 14 virus seed grown from mouse brain using a QIAamp<sup>TM</sup> Viral RNA Kit (Qiagen, Santa Clarita, CA). RNA, adsorbed on a silica membrane, was eluted in 80  $\mu$ L of nuclease-free water, and used as a template for the amplification of JEV prM and E gene coding sequences. Primer sequences were obtained from the work of Nitayaphan et al. (1990). A single cDNA fragment containing the genomic nucleotide region 389-2478 was amplified by the reverse transcriptase-polymerase chain reaction (RT-PCR). Restriction sites KpnI and XbaI, the consensus Kozak ribosomal binding sequence, and the translation initiation site were engineered at the 5' terminus of the cDNA by amplimer 14DV389 (SEQ ID NO:1). An in-frame translation termination codon, followed by a NotI restriction site, was introduced at the 3' terminus of the cDNA by amplimer c14DV2453 (SEQ ID NO:2) (see Figure 2). One-tube RT-PCR was performed using a Titan RT-PCR Kit (Boehringer Mannheim, Indianapolis, IN). 10  $\mu$ L of viral RNA was mixed with 1  $\mu$ L each of 14DV389 (50  $\mu$ M) and c14DV2453 (50  $\mu$ M) and 18  $\mu$ L of nuclease-free water and the mixture was heated at 85°C for 5 min and then cooled to 4°C. 75  $\mu$ L of reaction mix [20  $\mu$ L 5x buffer, 2  $\mu$ L of dNTP mixture (10 mM each), 5  $\mu$ L of dithiothreitol (0.1 mM), 0.5  $\mu$ L of RNasin<sup>TM</sup> (40 U/ $\mu$ L, Boehringer Mannheim), 2  $\mu$ L of polymerase mixture, and 45.5  $\mu$ L of nuclease-free water] was added and RT-PCR performed as follows: 1 cycle (50°C for 30 min, 94°C for 3 min, 50°C for 30 s, 68°C for 2.5 min), 9 cycles (94°C for 30 s, 50°C for 30 s, 68°C for 2.5 min), 20 cycles (94°C for 30 s, 50°C for 30 s, 68°C for 2.5 min in the first cycle, with an increment of 5 s per cycle thereafter), and a final extension at 68°C for 15 min. The RT-PCR product was purified by a QIAquick<sup>TM</sup> PCR Purification Kit (Qiagen) and eluted with 50  $\mu$ L of 1 mM Tris-HCl, pH 7.5.

All vector constructions and analyses were carried out by using standard techniques (Sambrook et al., 1989). RT-PCR amplified cDNA, digested with KpnI and

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NotI nucleases, was inserted into the *Kpn*I-NotI site of eukaryotic expression plasmid vector (pCDNA3, Invitrogen, Carlsbad, CA). Electroporation-competent *Escherichia coli* XL1-Blue cells (Stratagene, La Jolla, CA) were transformed by electroporation (Gene Pulser™, Bio-Rad, Hercules, CA) and plated onto LB agar plates containing 5 100 µg/mL carbenicillin (Sigma Chemical Co., St. Louis, MO). Clones were picked and inoculated into 3 mL LB broth containing 100 µg/mL carbenicillin. Plasmid DNA was extracted from a 14 h culture using a QIAprep™ Spin Miniprep Kit (Qiagen). Automated DNA sequencing was performed as recommended (Applied Biosystems/Perkin Elmer, Foster City, CA). Both strands of the cDNA were 10 sequenced and shown to be identical to the sequence for the original SA14 strain (Nitayaphan et al., 1990).

The fragment of plasmid pCDNA3 (Invitrogen, Carlsbad, CA) from nucleotide (nt) 1289 to nt 3455, containing f1 ori, SV40 ori, the neomycin resistance gene, and SV40 poly(A) elements was deleted by *Pvu*II digestion and then ligated to generate the 15 pCBamp plasmid. The vector pCIBamp, containing a chimeric intron insertion at the *Nco*I/*Kpn*I site of the pCBamp was constructed by excising the intron sequence from pCI (Promega, Madison, WI) by digestion with *Nco*I and *Kpn*I. The resulting 566-bp fragment was cloned into pCBamp by digesting with *Nco*I-*Kpn*I to replace its 289-bp fragment. Figure 3 presents the relationships between the plasmids pCDNA3, pCBamp, 20 and pCIBamp.

Plasmids containing the transcriptional unit encoding JEV prM and E proteins were prepared from these plasmids. The cDNA fragment containing the JEV prM and E coding regions in the recombinant plasmid pCDJE2-7, derived from the pCDNA3 vector, was excised by digestion with NotI and *Kpn*I or *Xba*I and cloned into the *Kpn*I- 25 NotI site of pCBamp, pCIBamp, pCEP4 (Invitrogen, Carlsbad, CA), or pREP4 (Invitrogen, Carlsbad, CA), or into the *Spe*I-NotI site of pRc/RSV (Invitrogen, Carlsbad, CA) expression vector to create pCBJE1-14, pCIBJES14, pCEJE, pREFE, and pRCJE, respectively. Both strands of the cDNA from clones of each plasmid were sequenced and recombinant clones with the correct nucleotide sequence were 30 identified. Plasmid DNA for use in the in vitro transformation of mammalian cells or

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mouse immunization experiments was purified by anion exchange chromatography using an EndoFree™ Plasmid Maxi Kit (Qiagen).

Example 2. Evaluation of JEV prM and E proteins expressed by various recombinant plasmids using an indirect immunofluorescent antibody assay. The expression of JEV specific gene products by the various recombinant expression plasmids was evaluated in transiently transfected cell lines of COS-1, COS-7 and SV-T2 (ATCC, Rockville MD; 1650-CRL, 1651-CRL, and 163.1-CCL, respectively) by indirect immunofluorescent antibody assay (IFA). The SV-T2 cell line was excluded from further testing since a preliminary result showed only 1-2% of transformed SV-T2 cells were JEV antigen positive. For transformation, cells were grown to 75% confluence in 150 cm<sup>2</sup> culture flasks, trypsinized, and resuspended at 4°C in phosphate buffered saline (PBS) to a final cell count  $5 \times 10^6$  per mL. 10 µg of plasmid DNA was electroporated into 300 µL of cell suspension using a BioRad Gene Pulse™ (Bio-Rad) set at 150 V, 960 µF and 100 Ω resistance. Five minutes after electroporation, cells were diluted with 25 mL fresh medium and seeded into a 75 cm<sup>2</sup> flask. 48 h after transformation the medium was removed from the cells, and the cells were trypsinized and resuspended in 5 mL PBS with 3% normal goat serum. 10 µL aliquots were spotted onto slides, air dried and fixed with acetone at -20°C for 20 min. IFA was performed with acetone-fixed plasmid-transformed cells using fluorescein isothiocyanate-conjugated goat anti-mouse immunoglobulin G (Sigma Chemical Co.) and JEV HIAF.

To determine the influence of various promoter and poly(A) elements on the JEV prM and E protein expression, COS-1 and COS-7 cell lines were transiently transformed by an equal amount of pCDJE2-7, pCEJE, pREJE, or pRCJE plasmid DNA. JEV antigens were expressed in both cell lines transformed by all four recombinant plasmids, thus confirming that the CMV or RSV (rous sarcoma virus) promoter and BGH or SV40 poly(A) elements were functionally active. However, the percentage of transformed cells and the level of JEV antigens expressed, as determined by the number of IFA positive cells and IFA intensity, respectively, differed greatly.

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among the various plasmids (see Table 1). A significantly high percentage of COS-1 cells transformed by pCDJE2-7, pCBJE1-14 and pCIBJES14 expressed the JEV antigens, and the level of the expressed proteins was compatible with JEV-infected cells. Cells transfected with pCEJE, pREJE, or pRCJE vectors, on the other hand, had 5 a low percentage of antigen-expressing cells, as well as a low intensity of fluorescence, indicating weak expression of the antigens.

In order to ascertain whether the enhanced expression of JEV proteins by pCDJE2-7 was influenced by the SV40-encoded eukaryotic origin of replication, the plasmid pCBJE1-14 was constructed so that a 2166-bp fragment, containing f1 ori, -10- SV40 ori, the neomycin resistance gene and SV40 poly(a) elements from pCDJE2-7, was deleted. A chimeric intron was then inserted into pCBJE1-14 to generate pCIBJES14. The pCIBJES14 plasmid was used to determine if the expression of JEV proteins could be enhanced by the intron sequence. Following transformation, cells harboring both pCBJE1-14 and pCIBJES14 vectors expressed a level of JEV antigens 15 similar to that observed with pCDJE2-7 (see Table 1). This result indicates that expression of JEV prM and E antigens by recombinant vectors is influenced only by the transcriptional regulatory elements. Neither the eukaryotic origin of replication nor the intron sequence enhanced JEV antigen expression in the cells used. Vectors containing the CMV promoter and BGH poly(A) (see Figure 3) were selected for further analysis.

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Table 1. Transient expression of JE prM and E proteins by various recombinant plasmids in two transferred cell lines.

	Vector	Promotor	Intron	Poly (A)	ORI	Recombinant Plasmid	IFA intensity/percentage of antigen-positive cells*	
							COS-1	COS-7
pCDNA3	CMV	No	BGH	SV40		pCDJE2-7	3+/40	3+/35
pCBamp	CMV	No	BGH	No		pCBJE1-14	3+/45	nd
pCIBamp	CMV	Ycs	BGH	No		pCIBJES14	3+/39	nd
pCEP4	CMV	No	SV40	OrfP		pCEJE	2+/4	2+/3
pREP4	RSV	No	SV40	OrfP		pREJE	1+/3	1+/2
pRe/RSV	RSV	No	BGH	SV40		pRQE:	1+/3	1+/3
pCDNA3	CMV	No	BGH	SV40		pCDNA3/CAT	-	-

\*Various cell lines were transfected with pCDNA3/CAT (negative control), pCDJE2-7, pCBJE1-14, pCIBJES14, pCIBJE, or pRCJE. Cells were trypsinized 48 hours later and tested by an indirect immunofluorescent antibody assay (IFA) with JE virus-specific HIAF. Data are presented as the intensity (scale of 1+ to 4+) and the percentage of IF $\lambda$  positive cells. The pCDNA3/CAT transformed cells were used as the negative control.

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Example 3. Selection of an in vitro transformed, stable cell line constitutively expressing JEV specific gene products. COS-1 cells were transformed with 10 µg of pCDJE2-7 DNA by electroporation as described in the previous example. After a 24 hr incubation in non-selective culture medium, cells were treated with neomycin (0.5 mg/mL, Sigma Chemical Co.). Neomycin-resistant colonies, which became visible after 2-3 weeks, were cloned by limited dilution in neomycin-containing medium. Expression of vector-encoded JEV gene products was initially screened by IFA using JEV HIAF. One JEV-IFA positive clone (JE-4B) and one negative clone (JE-5A) were selected for further analysis and maintained in medium containing 200 µg/mL neomycin.

Authenticity of the JEV E protein expressed by the JE-4B clone was demonstrated by epitope mapping by IFA using a panel of JEV E-specific murine monoclonal antibodies (Mab) (Kimura-Kuroda et al., J. Virol. 45, 124-132 (1983); Kimura-Kuroda et al., J. Gen. Virol. 67, 2663-2672 (1986); Zhang et al., J. Med. Virol. 15, 133-138 (1989); and Roehrig et al., Virol. 128, 118-126 (1983)). JEV HIAF and normal mouse serum were used as positive and negative antibody controls, respectively. Four JEV-specific, six flavivirus-subgroup specific, and two flavivirus-group reactive Mabs reacted similarly with the 4B clone or JEV-infected COS-1 cells (see Table 2).

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**Table 2. Characterization of proteins expressed by a pCDJE2-7 stably transformed clone (JE-4B) of COS-1 cells with JE virus-reactive antibodies.**

Mab or antiserum	Biological Activity of Mab		Immunofluorescent intensity of cells	
	Specificity	Biological Function	JEV infected	4B
<b>Mab:</b>				
MC3	JEV Specific		2+	2+
2F2	JEV Specific	HI, N	4+	4+
112	JEV Specific		4+	4+
503	JEV Specific	N	4+	3+
109	Subgroup	HI	2+	1+
N-04	Subgroup	HI, N	3+	4+
201	Subgroup		1+	1+
203	Subgroup		4+	3+
204	Subgroup		2+	2+
301	Subgroup	HI	2+	2+
504	Flavivirus		4+	4+
6B6C-1	Flavivirus		2+	2+
3B4C-4	VEE		-	-
<b>H1AF:</b>				
Anti-JEV			4+	3+
Anti-WEE			-	-
PBS			-	-

Example 4. Antigenic properties and immunological detection of subviral particles secreted by the JE-4B COS-1 cell line.

a. Preparation of subviral particles. JE-4B COS-1 cells were grown and maintained in medium containing 200 µg/mL of neomycin. The cultured medium was 5 routinely harvested and stored at 4°C, and replenished twice weekly, and the cells were split 1:5 every 7-10 days. Culture medium was clarified by centrifugation at 10,000 rpm for 30 min in a Sorvall F16/250 rotor at 4°C, and centrifuged further for 4 hr at 39,000 rpm in a Sorvall TH641 rotor at 4°C through a 5% sucrose cushion (w/w, prepared with 10 mM Tris HCl, pH 7.5, 100 mM NaCl (TN buffer)). The pellet

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containing subviral particles was resuspended in TN buffer and stored at 4°C. Alternatively, 7% or 10% PEG-8000 (w/v) was added to the clarified culture medium. The mixture was stirred at 4°C for at least 2 hr, and the precipitated particles were collected by centrifugation at 10,000 rpm for 30 min. The precipitate was

5 resuspended in TN buffer and stored at 4°C. The subviral particles were purified from both pelleted and PEG-precipitated preparations by rate zonal centrifugation in a 5-25% continuous sucrose gradient in TN at 38,000 rpm at 4°C for 90 min. 1-mL fractions were collected from the top of the gradient, tested by antigen capture ELISA (see below), and the positive fractions loaded onto a 25-50% sucrose gradient in TN.

10 This was centrifuged overnight in an equilibrium density centrifugation at 35,000 rpm at 4°C. 0.9-mL fractions from the equilibrium gradients were collected from the bottom. They were tested by antigen-capture ELISA and assessed for hemagglutination (HA) activity at pH 6.6. An aliquot of 100 µL of each fraction was weighed precisely to determine its density. The ELISA-positive fractions were pooled

15 and pelleted at 39,000 rpm at 4°C for 3-4 hr and the pellet resuspended in TN buffer. Antigen-capture ELISA and HA titers were determined on the pelleted samples. JEV-infected COS-1 cell supernatant was also subjected to similar purification protocols as detailed above and used as a positive control for the gradient analysis. JE virions were also purified from infected C6/36 cells 5-6 days postinfection by sedimentation in a

20 glycerol/tartrate equilibrium gradient.

b. Western blots of subviral particles Gradient-purified samples of the subviral particles were mixed with electrophoresis sample buffer and run on 10 or 12.5% sodium dodecyl sulfate-containing polyacrylamide gels (SDS-PAGE) as described by Laemmli (Nature 277, 680-685 (1970)). Proteins were transferred to a nitrocellulose membrane and immunochemically detected with polyclonal JEV HIAF, flavivirus cross-reactive anti-E Mab 4G2 (Henchal et al., Amer. J. Trop. Med. Hyg. 31, 830-836 (1982)), or mouse anti-prM peptide hyperimmune serum (JM01, Chiueh et al., unpublished results). Figure 4 shows a comparison of the M and E proteins produced by JEV infected C6/36 and JE-4B COS-1 cells. Some nonspecific reactivity to E protein was observed in the normal mouse ascitic fluid and Jm01 anti-peptide serum. Proteins identical in size to M and E were secreted in the subviral particles and could be detected by E-specific Mab 4G2 and prM-specific JM01 antiserum, respectively.

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c. Density gradient detection of JEV subviral particles in culture medium. For ELISA, antigen-capture antibody (4G2) was diluted in 0.1 M sodium carbonate buffer, pH 9.6, and used to coat 96-well microtiter plates (Immulon II, Dynatech, Chantilly, VA) by overnight incubation at 4°C. After blocking with 3% normal goat serum in 5 PBS, two-fold serially-diluted samples were added to the 4G2-coated plate and incubated 1.5 hours at 37°C. Captured antigen was detected by horseradish peroxidase-conjugated 6B6C-1 Mag, and incubated for 1 hour at 37°C. The enzyme activity on the solid phase was then detected with TMB (3,3',5,5'-tetramethylbenzidine)-ELISA (Life Technologies, Grand Island, NY).

10       Approximately 500 mL of cell culture medium from 15 X 150 cm<sup>2</sup> flasks of JE-4B cells was collected four days after cells were seeded. PEG-precipitated subviral particles were resuspended in 2 mL of TN buffer, pH 7.5, a 0.7 mL aliquot of this resuspended pellet was loaded onto a 5-25% sucrose gradient. Triton X-100, which disrupts subviral particles, was added to another 0.7 mL aliquot to a final 15 concentration of 0.1% and this was loaded onto a 5-25% sucrose gradient prepared in TN buffer containing 0.1% Triton X-100. A definite opaque band was observed approximately 2.5 cm from the top of the gradient containing Triton X-100 but not in the gradient without detergent. Fractions (1 mL) were collected from top to bottom for each gradient and were analyzed by antigen capture ELISA (Figure 5). Antigen 20 was detected in fractions 4-6, indicating relatively rapid sedimentation characteristic of subviral particles. Treatment of the PEG precipitate from JE-4B culture medium with Triton X-100 shifted the position of ELISA-reactive material to the top of the gradient. Thus treatment with Triton X-100 produces only slow-sedimenting 25 molecules. A similar finding was reported by Konishi et al., 1992 (Virol. 188: 714-720). These results show that rapidly sedimenting subviral particles containing prM/M and E could be disrupted by detergent treatment.

HA activity was determined in the pH range from 6.1 to 7.0 by the method of Clarke and Casals (Amer. J. Trop. Med. Hyg. 7:561-573 (1958)). The subviral particle secreted by JE-4B cells and the virion particle produced by JEV infected 30 COS-1 cells had a similar HA profile with the optimum pH determined to be 6.6.

Example 5. Comparison of the immune response in mice vaccinated with pCDJE2-7 nucleic acid vaccine of the invention and commercial JEV vaccine. Groups

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of five 3-week-old female, ICR outbred mice were injected intramuscularly in the left and right quadriceps with 100 µg of pCDJE2-7 plasmid in 100 µL of dH<sub>2</sub>O or were given doses of JE-VAX (manufactured by the Research Foundation for Microbial Disease of Osaka University and distributed by Connaught Laboratories, Swiftwater.

5 PA.) subcutaneously that are one-fifth the dose given to humans. The plasmid pCDNA3/CAT, which encodes and expresses an unrelated protein, (Invitrogen), was used as the negative vaccination control. Except for one group of pCDJE2-7-vaccinated mice, all animals were boosted 3 weeks later with an additional dose of plasmid or JE-VAX. Mice were bled from the retroorbital sinus at 3, 6, 9, 23, 40 and 10 60 weeks after inoculation. JEV antibody titers were determined by enzyme-linked immunosorbent assay (ELISA) against purified JEV or by plaque reduction neutralization tests (PRNT) (Roehrig et al., Virol. 171: 49-60 (1989); and Hunt and Calisher, Amer J Trop. Med. Hyg. 28: 740-749 (1979)).

The pCDJE2-7 nucleic acid vaccine and JE-VAX provided 100% seroconversion three weeks after the first vaccination in all three groups of mice (Table 3). The JEV ELISA and PRNT antibody titers reached the highest level at week 6 and week 9, respectively, after immunization. Mice receiving 1 dose of DNA vaccine had similar antibody responses as those receiving 2 doses. Comparable ELISA antibody titers were maintained in DNA-vaccinated groups up to 60 weeks, 15 after which the experiment was terminated. However, only one of four mice in the JE-VAX group was JEV antibody positive at 60 weeks post-inoculation. The pCDNA3/CAT control group did not have any measurable JEV antibody. These results demonstrate that a single dose of JEV-specific nucleic acid vaccine is more effective in maintaining JEV antibody in mice than the commercial, FDA approved 20 JE-VAX vaccine.

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Table 3. Persistence of the immune response in mice immunized with pCD.JE2-7 or JE-VAX vaccine.

	ELISA Titer (log <sub>10</sub> )						PRNT <sub>50%</sub> Titer		
	3 wks	6 wks	9 wks	23 wks	40 wks	60 wks*	3 wks	6 wks	9 wks
1x pCD.JE2-7	2.6-3.2	3.8-5.0	3.8-4.4	>3.2	>3.2	2.4, 2.4, 3.8, 4.4	<20	20	40-160
2x pCD.JE2-7	2.6-3.8	4.4	3.8-4.4	>3.2	>3.2	2.6, 3.8, 3.8	<20	20-40	40-160
2x JE-VAX	2.6-3.8	4.4-5.0	3.8-5.6	>3.2	>3.2	<2, <2, <2, 4.4	<20	20-40	20-160
2x pCDNA3/CAT	<2	<2	ND	ND	<2	<20	<20	<20	<20

Mice were inoculated with 1 or 2, 100  $\mu$ g/dose plasmid DNA, or 1/5 human dose of JE-VAX vaccine. Sera were collected for testing prior to the second immunization.

\* Individual serum titers.

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Example 6. Comparison of various nucleic acid vaccine constructs of the invention and commercial JEV vaccine for effectiveness of vaccination at different ages. A similar level of JEV protein was expressed by COS-1 cells transformed by either pCDJE2-7 pCBJE1-14, or pCIBJES14. JEV antibody induction by these nucleic acid constructs was compared to JE-VAX commercial vaccine at two different ages at vaccination. Three-day (mixed sex) or 3-week-old (female) ICR outbred mice, 10 per group, were vaccinated intramuscularly with 50 or 100 µg of plasmid DNA, or subcutaneously with doses of JE-VAX that are one-tenth or one-fifth the dose given to humans. Serum specimens were collected at 3 and 7 weeks after immunization and 5 tested at a 1:1600 dilution by ELISA using purified JEV as an antigen. Results are 10 shown in Table 4.

Plasmid pCBJE1-14 provided the highest extent of seroconversion, i.e., antibody titer greater than 1:1600, achieving 80-100% at both ages of vaccination. Administration of pCDJE2-7 or pCIBJES14 provided moderate seroconversion by 7 15 weeks when 3-day old mice were vaccinated (60% for each), but weaker seroconversion (40% and 10%, respectively) when measured 3 weeks after vaccination. When these plasmids were administered at the age of 3 weeks, however, seroconversions of 90% or 100% were attained at both 3 weeks and 7 weeks after vaccination. In contrast, the commercial vaccine, JE-VAX, conferred no 20 seroconversion when administered at 3 days of age, and 100% when given at 3 weeks of age. Thus the nucleic acid TU's for JEV prM and E provided an extent of seroconversion better than a very high dose of the commercial vaccine, and unexpectedly high seroconversion in both young and more mature animals.

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**Table 4. The age-dependent percent seropositive rate in mice following vaccination with various JEV vaccines.**

	3-day old		3-week old	
	3 weeks PV	7 weeks PV	3 weeks PV	7 weeks PV
JE-VAX	0	0	100	100
pCDNA3/CAT	0	0	0	0
pCDJE2-7	40	60	90	90
pC1BJES14	10	60	80	100
pCBJE1-14	80	100	100	100

Example 7. Protective immunity conferred by the nucleic acid vaccine of the invention. Three-day old vaccinated groups from Example 6 were challenged 7 weeks after vaccination by intraperitoneal injection of 50,000 pfu/100 µL of the mouse-adapted JEV strain SA14 and observed for 3 weeks. 100% protection was achieved in 5 groups that received various nucleic acid TU-containing vaccine constructs for up to 21 days (Table 5). In contrast, 60% of the JE-VAX-vaccinated mice, as well as 70% of the pCDNA3/CAT-vaccinated negative controls, did not survive virus challenge by 21 days. These results indicate that the nucleic acid TU's of the invention confer unexpectedly effective protection on vaccinated mice. This suggests the possibility of 10 employing the nucleic acid vaccine of the invention as an early childhood vaccine for humans. In contrast, JE-VAX, the inactivated human vaccine currently used, does not appear to be effective in young animals.

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**Table 5. Protection from JEV challenge in 8 week old mice following vaccination at 3 days old with various JEV vaccines.**

Vaccine	Pre-challenge JEV seroconversion	Days post-challenge survival rate (%)				
		6	7	8	9	21
JE-VAX	0	100	100	60	40	40
pCDNA3/CAT	0	100	80	30	30	30
pCDJE2-7	60	100	100	100	100	100
pC1BJES14	60	100	100	100	100	100
pCBJE1-14	100	100	100	100	100	100

Example 8. Passive protection of neonatal mice correlated with the maternal antibody titer. Female ICR mice at the age of 3 weeks were vaccinated with either one dose or two doses spaced two days apart of pCDJE2-7 plasmid DNA, at 100  $\mu$ g/100  $\mu$ L, or with two doses of JE-VAX that were one-fifth the dose given to humans. The negative control group received two doses of 100  $\mu$ g/100  $\mu$ L of pCDNA-3/CAT plasmid. Passive protection by maternal antibody was evaluated in pups resulting from matings of experimental females with non-immunized male mice that occurred nine weeks following the first vaccination or 6 weeks following the second vaccination. Pups were challenged between 3-15 days after birth by intraperitoneal administration of 5,000 pfu/100  $\mu$ L of mouse-adapted SA14 virus and observed daily for 3 weeks (see Table 6). The survival rates correlated with the maternal neutralizing antibody titers. 100% of pups nursed by mothers with a PRNT of 1:80 survived viral infection, whereas none of the pups from the control mother survived (Table 6). Partial protection of 45% and 75% was observed in older pups that were nursed by mothers with a PRNT titer of 1:20 and 1:40, respectively. The survival rates also correlated with the length of time that pups were nursed by the immune mother. As just indicated, 13-15 day old pups had high survival rates. None of the 3-4 day old pups, however, survived virus challenge when the mother had a PRNT titer of 1:20 or 1:40. Thus maternal antibody provides partial to complete protective immunity to the offspring. In addition, JEV antibody was detected by ELISA in the sera of 97% (29/30) of the post-challenge pups.

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**Table 6. Evaluation of the ability of maternal antibody from JEV-nucleic acid-vaccinated female mice to protect their pups from fatal JEV encephalitis.**

Vaccinated mother		JEV challenged pups		
Vaccine	PRNT <sub>90%</sub>	Challenge age (days)	No. survival <sup>1</sup>	ELISA <sup>2</sup>
1 x pCDJE2-7	40	4	0/11	
2 x pCDJE2-7	80	4	12/12	12/12
2 x JE-VAX	20	3	0/16	
2 x pCDNA-3/CAT	<10	5	0/14	
<hr/>				
1 x pCDJE2-7	20	15	5/11	5/5
2 x pCDJE2-7	40	14	8/12	7/8
2 x JE-VAX	80	13	5/5	5/5
2 x pCDNA-3/CAT	<10	14	0/14	

Mice were inoculated intramuscularly with 1 or 2, 100 µg dose of plasmid DNA, or subcutaneously with two 1/5 human dose of JE-VAX vaccine. Sera were collected 9 weeks post-vaccination for PRNT testing prior to mating with non-immune male.

<sup>1</sup>: No Survivors/total for each litter

<sup>2</sup>: Number of JEV ELISA-antibody-positive animals (titer  $\geq$  1:400)/No. of survivors: sera were collected for testing 12 weeks after challenge

Example 9. Preparation of recombinant plasmids containing coding sequences for yellow fever virus (YFV) or St. Louis encephalitis virus (SLEV) prM and E proteins. A strategy similar to constructing the pCDJE2-7 recombinant plasmid was used to prepare YFV and SLEV recombinant plasmids. Genomic RNA was extracted from 150 µL of YFV strain TRI-788379 or SLE strain 78V-6507 virus seeds using QIAamp<sup>TM</sup> Viral RNA Kit (Qiagen, Santa Clarita, CA.). The viral RNA was used as a template for amplification of YFV or SLEV prM and E gene coding regions. Primer sequences and structures of the amplified YFV and SLEV DNA products are shown in Figures 6 and 7, respectively. RT-PCR amplified cDNA, digested with KpnI and NotI

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enzymes, was inserted into the *Kpn*I-*Not*I site of a eukaryotic expression plasmid vector, pCDNA3 (Invitrogen). Both strands of the cDNA were sequenced and verified for identity to sequences from YFV strain TRI-788379 or SLEV strain 78V-6507 (unpublished; Chang, 1998). Recombinant plasmids pCDYF2 and pCDSLE4-3, 5 which contained the nucleotide sequences of the prM and E coding regions for YFV or SLEV, respectively, were purified using an EndoFree™ Plasmid Maxi Kit (Qiagen), and used for *in vitro* transformation or mouse immunization.

YFV or SLEV specific antigens were expressed in COS-1 cells transformed by pCDYF2 or pCDSLE4-3, respectively (Figure 8). The level of expressed proteins was 10 similar to a YFV- or SLEV-infected COS-1 cell control. As in the JEV model, COS-1 cell lines transformed by vectors bearing genes for the viral antigens were obtained which constitutively express YFV or SLEV antigenic proteins. Epitope mapping by IFA using a panel of YFV or SLEV E-specific Mabs indicated that the authentic E protein was expressed by the pCDYF2- or pCDSLE4-3-transformed COS-1 cells. A 15 preliminary study indicated that 100% of three week-old female, ICR mice seroconverted after intramuscular inoculation with a single dose of 100 µg/100 µL of pCDSLE4-3 plasid in deionized water.

Example 10. Preparation of plasmids containing coding sequences for dengue type 2 structural proteins. Procedures such as those carried out for JEV (see Example 20 1) are to be followed to prepare vectors including nucleic acid TU's for dengue type 2 antigens

A plasmid containing the dengue type 2 gene region from prM to E is to be constructed. The dengue type 2 prM and E genes (Deubel et al., Virology 155:365-377 (1986); Gruenberg et al., J. Gen. Virol. 69:1301-1398 (1988); Hahn et al., 25 Virology 162:167-180 (1988)) are to be ligated into a plasmid such as pCDNA3, and then excised and cloned into vectors such as pCBamp, pCEP4, pREP4, or pRc/RSV (supplied by Invitrogen, Carlsbad, CA) to enable expression. If necessary a dengue type 2 virus-specific sequence encoded in a cDNA sequence may be amplified using a procedure such as the polymerase chain reaction (PCR). Alternatively, if the viral 30 RNA is the source of the gene region, a DNA sequence may be amplified by a reverse transcriptase-PCR procedure. A DNA fragment including an initiation codon at the 5' end, and a termination codon at the 3' end is to be cloned into an expression vector at

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an appropriate restriction nuclease-specific site, in such a way that the cytomegalovirus (CMV) immediate early (IE) promoter, an initiation codon, and a terminator, are operably linked to the dengue type 2 virus sequence.

Example 11. Vaccination of mice using a dengue type 2 DNA vaccine. The  
5 dengue type 2 nucleic TU vaccine encoding the gene region from prM to E prepared  
in Example 10 is to be suspended in a suitable pharmaceutical carrier, such as water  
for injection or buffered physiological saline, and injected intramuscularly into groups  
of weanling mice. Control groups receive a comparable plasmid preparation lacking  
the dengue type 2 specific genes. The generation of dengue type 2-specific antibodies.  
10 and/or of dengue type 2-specific immune system cytotoxic cells, is to be assessed at  
fixed intervals thereafter, for example at weekly intervals. At about two-to-four  
months after administration of the nucleic acid TU vaccine, mice are to be challenged  
with dengue type 2 virus. Levels of viremia are to be assessed at appropriate intervals  
thereafter, such as every second day. Passive protection by maternal antibody is to be  
15 assessed as indicated in Example 8.

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CLAIMS

I claim:

1. A nucleic acid molecule which comprises a transcriptional unit for an immunogenic flavivirus antigen, wherein the transcriptional unit directs a host cell, after being incorporated therein, to synthesize the immunogenic antigen.
2. The nucleic acid molecule described in claim 1, wherein the flavivirus is chosen from the group consisting of yellow fever virus, dengue type 1 virus, dengue type 2 virus, dengue type 3 virus, dengue type 4 virus, and Japanese encephalitis virus (JEV).
- 10 3. The nucleic acid molecule described in claim 2 wherein the antigen is chosen from the group consisting of the M protein, the E protein, and both the M and the E proteins.
4. The nucleic acid molecule described in claim 3 wherein the antigen is both the M and the E proteins, and wherein the host cell secretes subviral particles comprising the flavivirus M and E antigens.
- 15 5. The nucleic acid molecule described in claim 1 which is a DNA molecule.
6. The nucleic acid molecule described in claim 1 wherein the transcriptional unit further comprises a control sequence disposed appropriately such that it operably controls the expression of the M and E antigens.
- 20 7. The nucleic acid molecule described in claim 6 wherein the control sequence is the cytomegalovirus immediate early promoter.

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8. The nucleic acid molecule described in claim 1 wherein the transcriptional unit further comprises a poly-A terminator.

9. A host cell harboring a nucleic acid molecule which comprises a transcriptional unit for an immunogenic flavivirus antigen, wherein the transcriptional unit directs the host cell to synthesize the immunogenic antigen.

10. The host cell described in claim 9 wherein the flavivirus is chosen from the group consisting of yellow fever virus, dengue type 1 virus, dengue type 2 virus, dengue type 3 virus, dengue type 4 virus, and JEV.

11. The host cell described in claim 10 wherein the flavivirus antigen is chosen from the group consisting of the M protein, the E protein, and both the M and the E proteins.

12. The host cell described in claim 11 wherein the antigen is both the M and the E proteins, and wherein the cell secretes subviral particles comprising the flavivirus M and E antigens.

13. A composition for vaccinating a subject against a flavivirus comprising a nucleic acid molecule which comprises a transcriptional unit for an immunogenic antigen of the flavivirus, wherein the transcriptional unit directs a cell within the body of the subject, after being incorporated therein, to synthesize the immunogenic antigen, and wherein the composition further comprises a pharmaceutically acceptable carrier.

14. The vaccinating composition described in claim 13, wherein the flavivirus is chosen from the group consisting of yellow fever virus, dengue type 1 virus, dengue type 2 virus, dengue type 3 virus, dengue type 4 virus, and JEV.

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15. The vaccinating composition described in claim 14 wherein the antigen is chosen from the group consisting of the M protein, the E protein, and both the M and the E proteins.

16. The vaccinating composition described in claim 15 wherein the antigen is 5 both the M and the E proteins, and wherein the cell secretes subviral particles comprising the flavivirus M and E antigens.

17. The vaccinating composition described in claim 13 wherein the nucleic acid molecule is a DNA molecule.

18. The vaccinating composition described in claim 13 wherein the 10 transcriptional unit further comprises a control sequence disposed appropriately such that it operably controls the expression of the M and E antigens when the nucleic acid is introduced into the cell of the subject.

19. The vaccinating composition described in claim 18 wherein the control sequence is the cytomegalovirus immediate early promoter.

15 20. The vaccinating composition described in claim 13 wherein the transcriptional unit further comprises a poly-A terminator.

21. A method of immunizing a subject against infection by a flavivirus comprising administration to the subject of an effective amount of a vaccinating composition comprising a nucleic acid molecule which comprises a transcriptional unit 20 for an immunogenic flavivirus antigen, wherein the transcriptional unit directs a cell within the body of the subject, after being incorporated therein, to synthesize the immunogenic antigen, the composition further comprising a pharmaceutically acceptable carrier.

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22. The method of immunizing a subject described in claim 21, wherein the flavivirus is chosen from the group consisting of yellow fever virus, dengue type 1 virus, dengue type 2 virus, dengue type 3 virus, dengue type 4 virus, and JEV.

23. The method of immunizing a subject described in claim 22 wherein the 5 antigen is chosen from the group consisting of the M protein, the E protein, and both the M and the E proteins.

24. The method of immunizing a subject described in claim 23 wherein the antigen is both the M and the E proteins, and wherein a cell within the body of the subject, after incorporating the nucleic acid within it, secretes subviral particles 10 comprising the flavivirus M and E antigens.

25. The method of immunizing a subject described in claim 21 wherein the method further comprises administering the vaccinating composition to the subject in a single dose.

26. The method described in claim 21 wherein the vaccinating composition is 15 administered via a parenteral route.

27. The method of immunizing a subject described in claim 21 wherein the nucleic acid is a DNA molecule.

28. The method of immunizing a subject described in claim 21 wherein the transcriptional unit further comprises a control sequence disposed appropriately such 20 that it operably controls the expression of the M and E antigens.

29. The method of immunizing a subject described in claim 28 wherein the control sequence is the cytomegalovirus immediate early promoter.

30. The method of immunizing a subject described in claim 21 wherein the transcriptional unit further comprises a poly-A terminator.

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31. The nucleic acid molecule described in claim 1, wherein the flavivirus is St. Louis encephalitis virus.

32. The host cell harboring the nucleic acid progenitor described in claim 9 wherein the flavivirus is St. Louis encephalitis virus.

5 33. The vaccinating composition described in claim 13, wherein the flavivirus is St. Louis encephalitis virus.

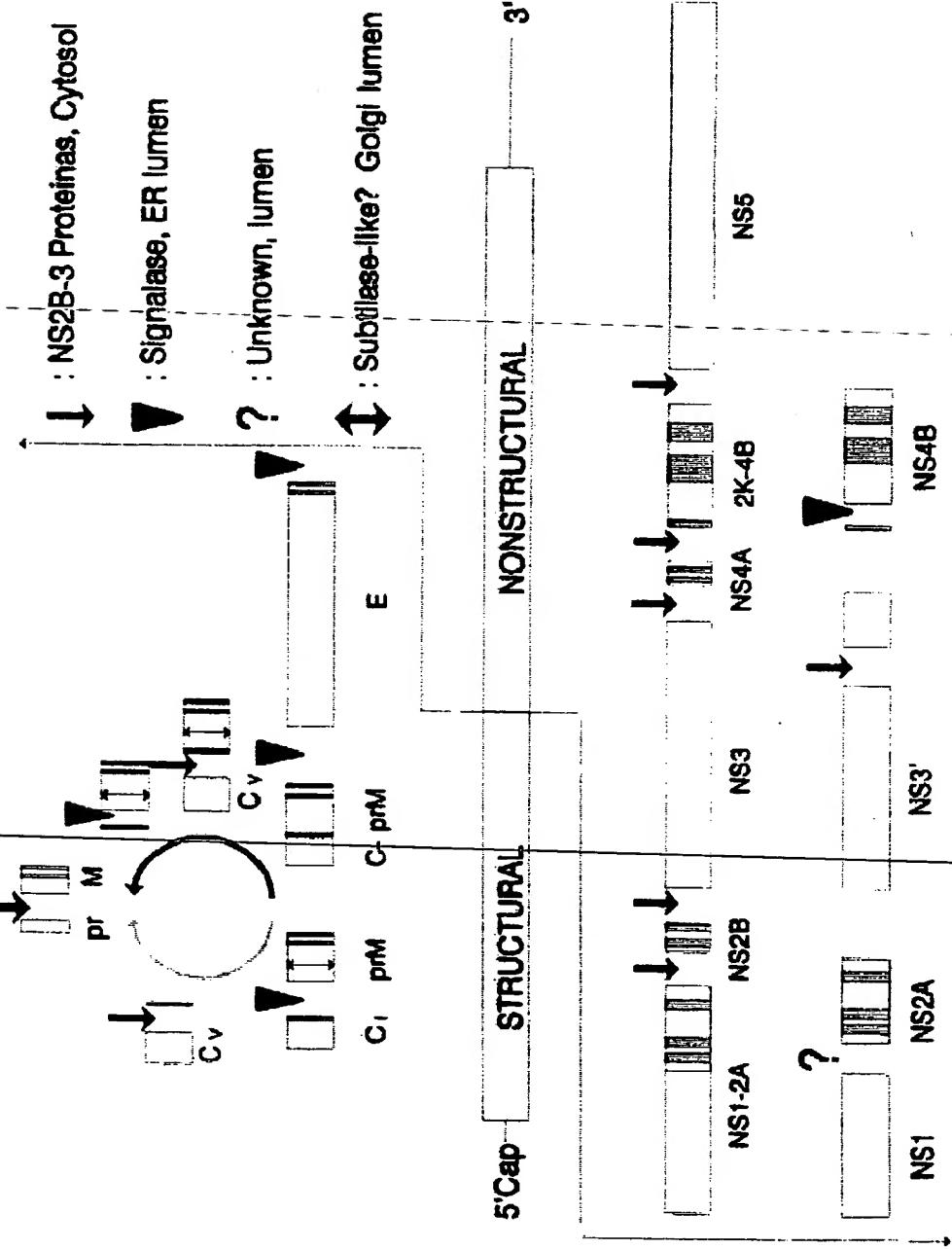
34. The method of immunizing a subject against infection by a flavivirus described in claim 21, wherein the flavivirus is St. Louis encephalitis virus.

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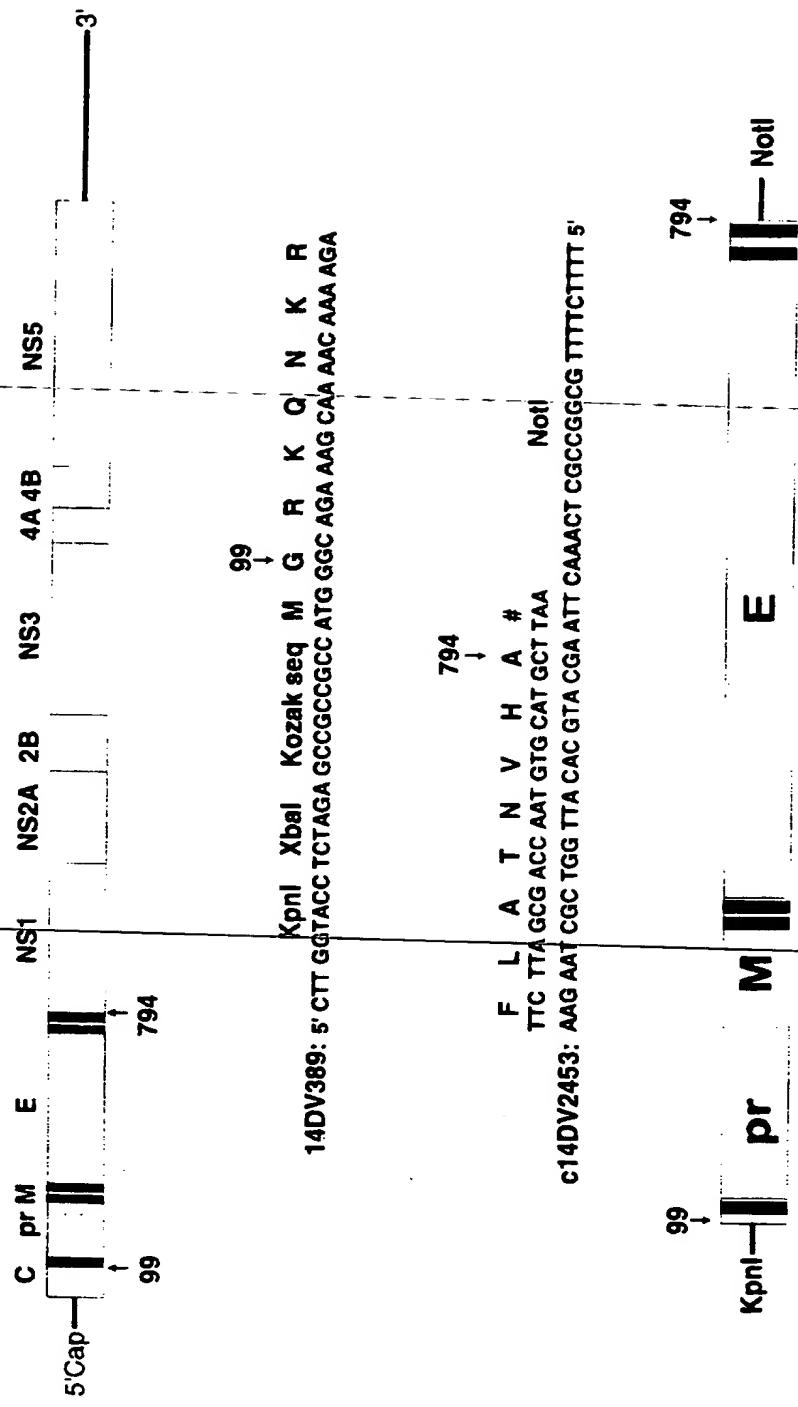
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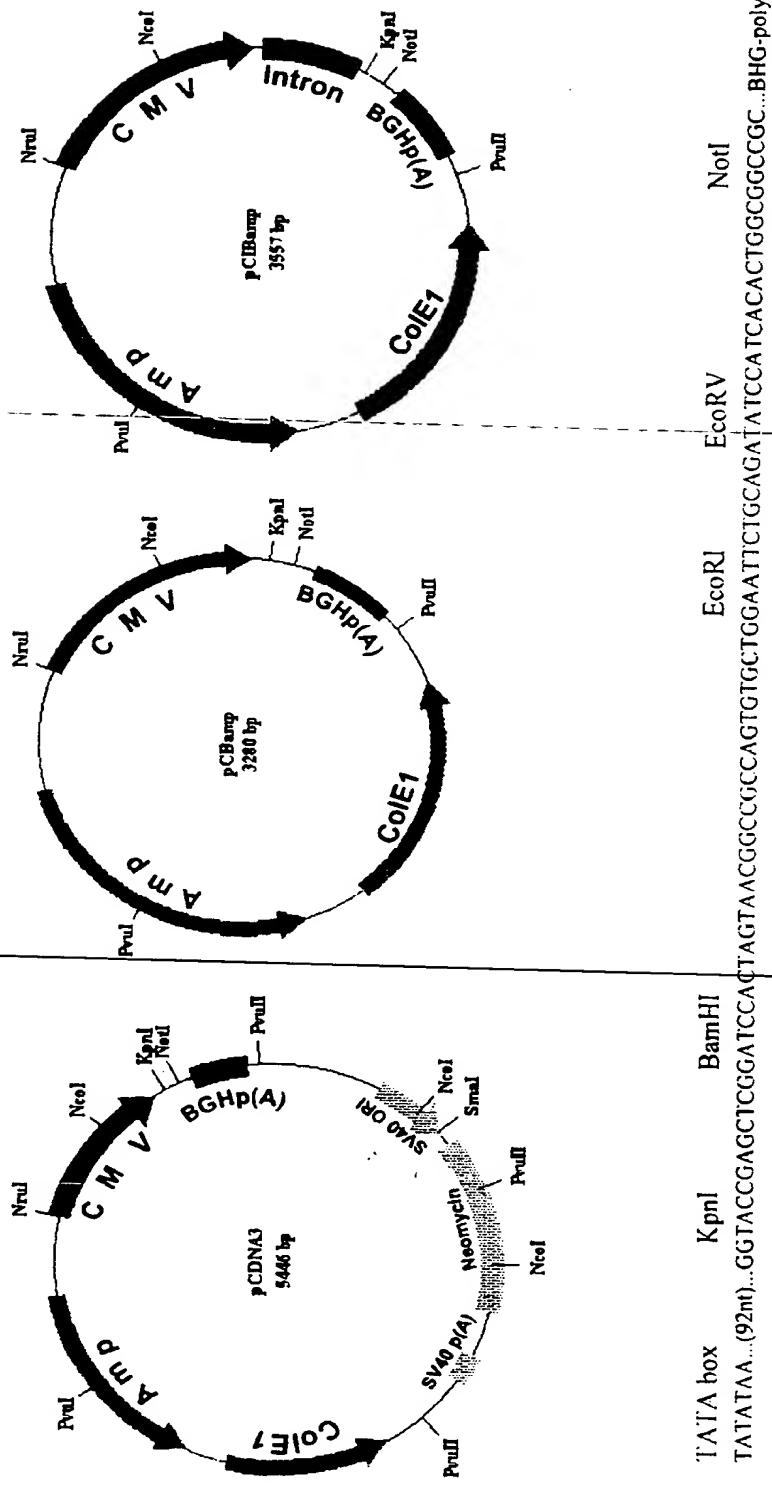
**Figure 1**



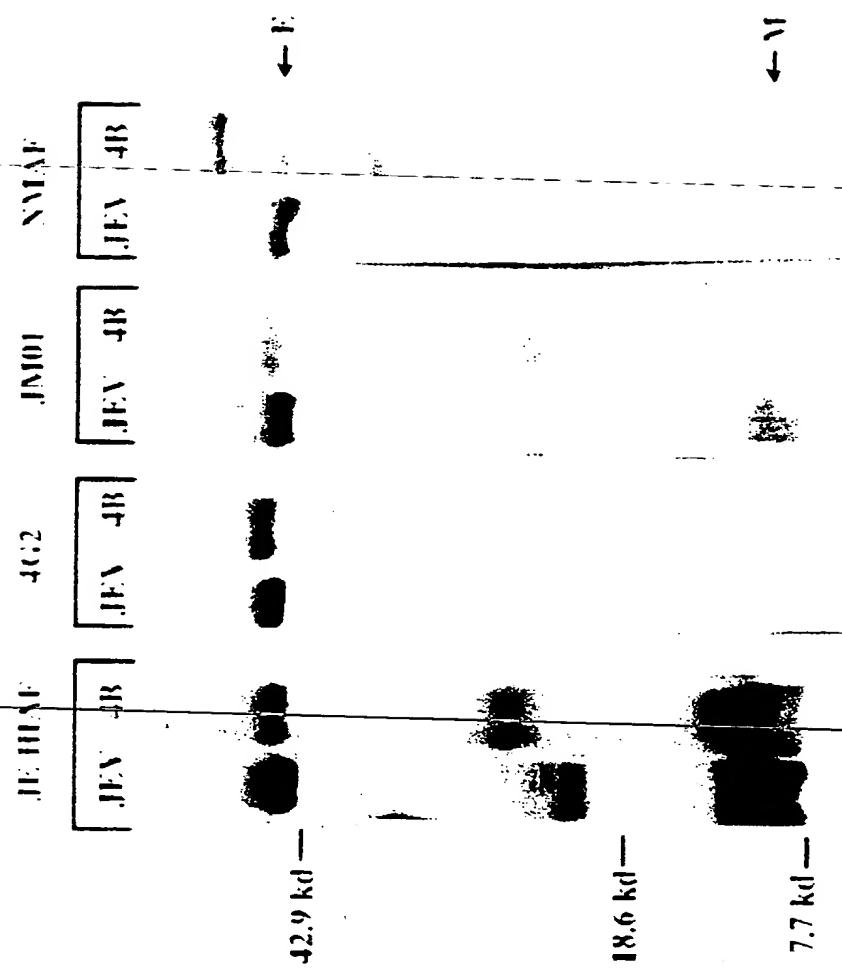
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**Figure 2**

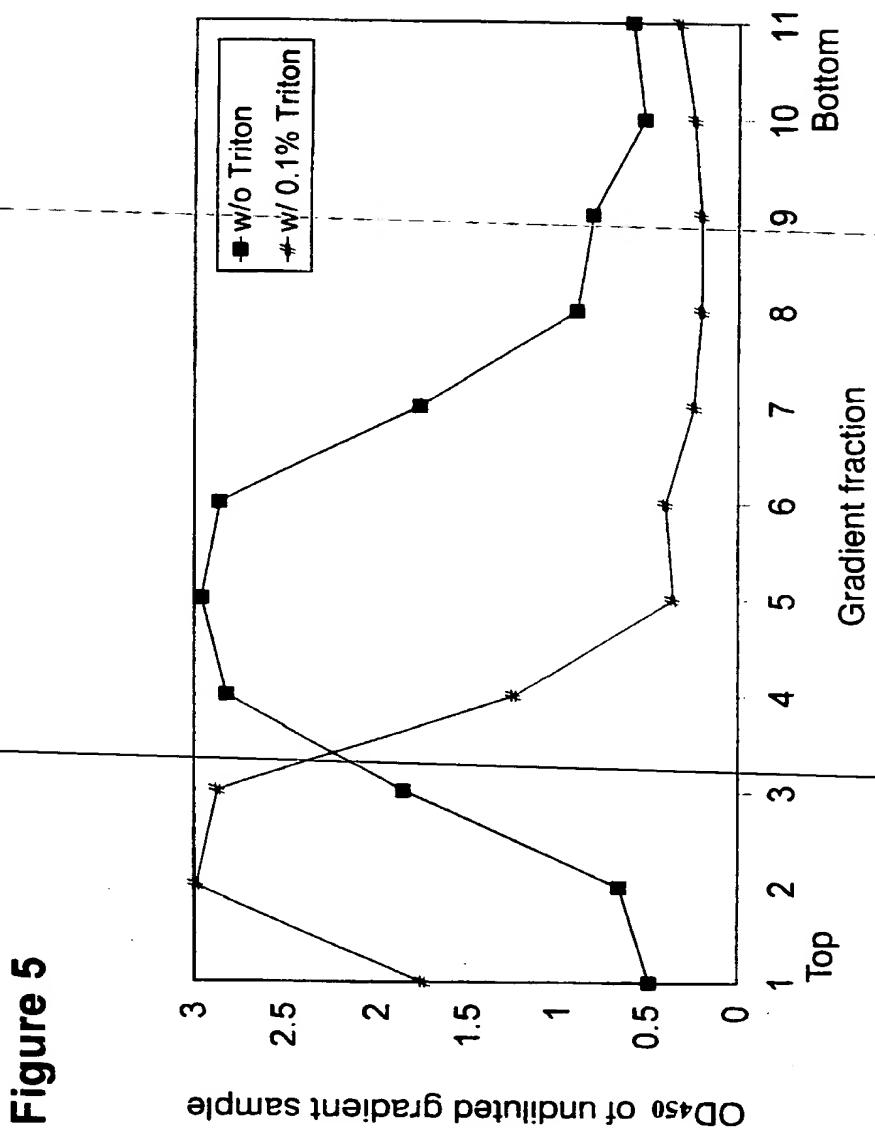
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**Figure 3**

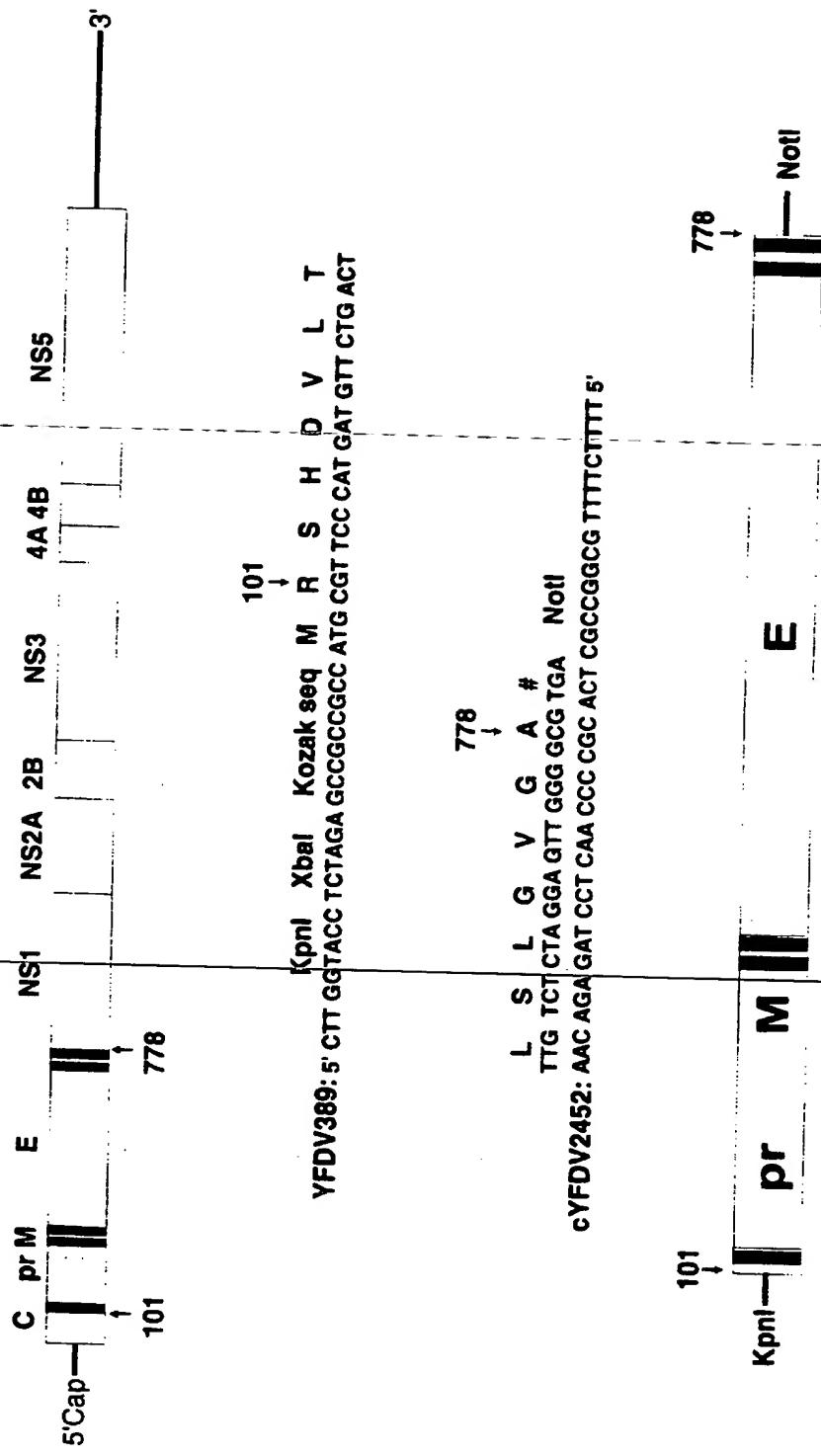
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**Figure 4**

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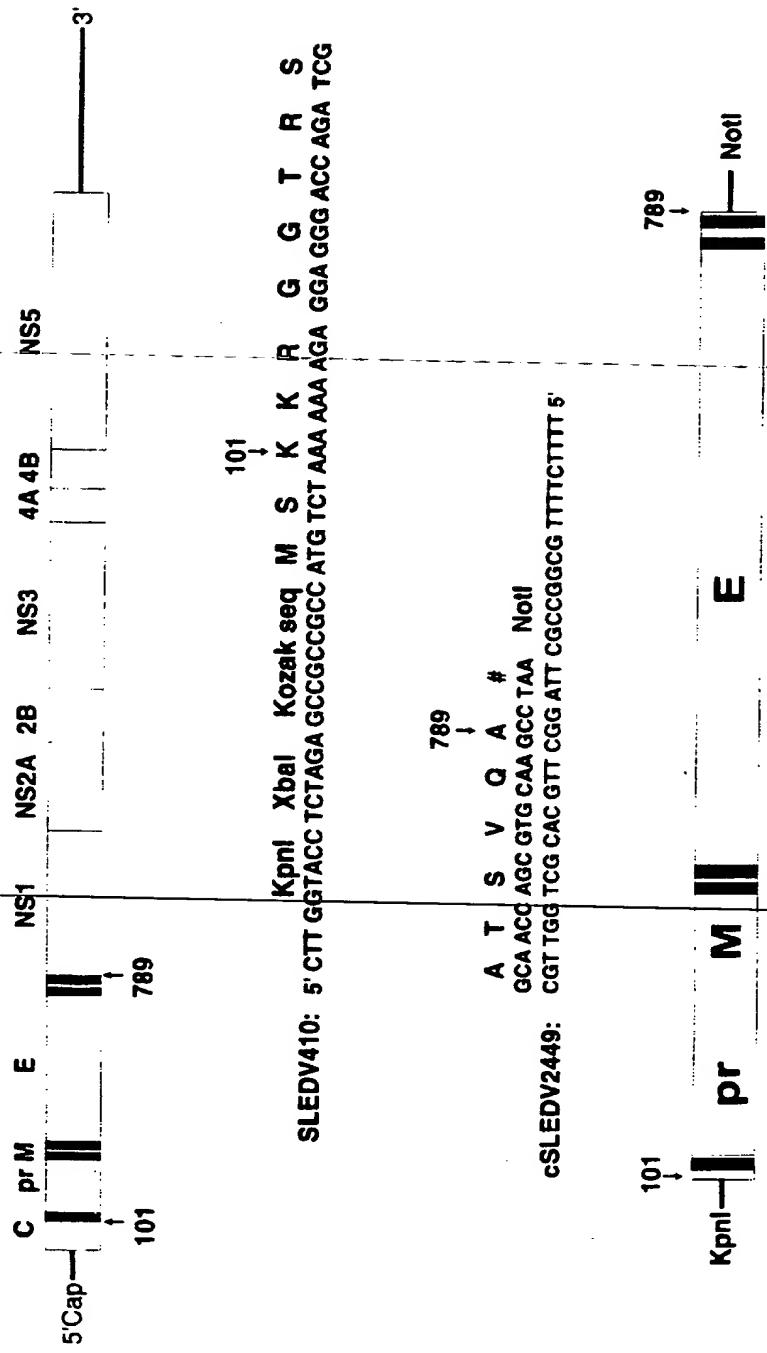


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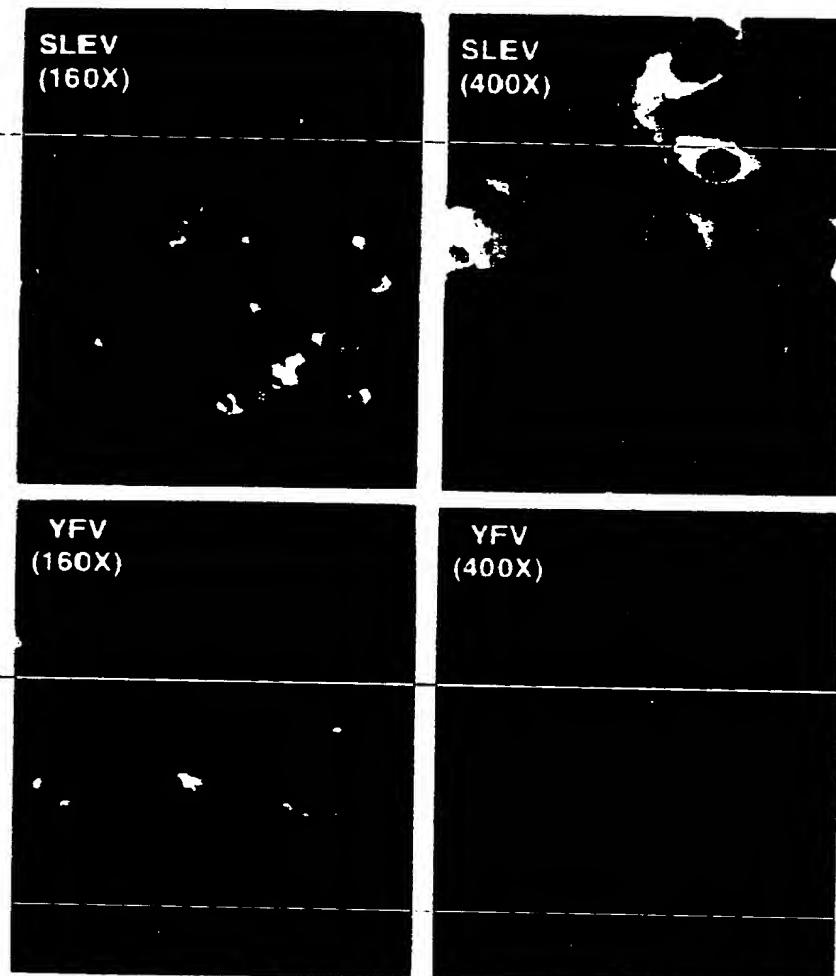
**Figure 6**

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Figure 7



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**Figure 8**

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## SEQUENCE LISTING

## (1) GENERAL INFORMATION:

(I) APPLICANT: Chang, Gwong-Jen J

(ii) TITLE OF INVENTION: Nucleic Acid Vaccines for Prevention of Flavivirus Infection

(iii) NUMBER OF SEQUENCES: 6

## (iv) CORRESPONDENCE ADDRESS:

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(F) ZIP: 60603-4277

## (v) COMPUTER READABLE FORM:

(A) MEDIUM TYPE: Diskette  
(B) COMPUTER: IBM Compatible  
(C) OPERATING SYSTEM: Windows  
(D) SOFTWARE: FastSEQ for Windows Version 2.0

## (vi) CURRENT APPLICATION DATA:

(A) APPLICATION NUMBER:  
(B) FILING DATE:  
(C) CLASSIFICATION:

## (vii) PRIOR APPLICATION DATA:

(A) APPLICATION NUMBER:  
(B) FILING DATE:

## (viii) ATTORNEY/AGENT INFORMATION:

(A) NAME: Kaba, Richard A  
(B) REGISTRATION NUMBER: 30,562  
(C) REFERENCE/DOCKET NUMBER: 62202

## (ix) TELECOMMUNICATION INFORMATION:

(A) TELEPHONE: 312-372-7842  
(B) TELEFAX: 312-372-7846  
(C) TELEX:

## (2) INFORMATION FOR SEQ ID NO:1:

## (i) SEQUENCE CHARACTERISTICS:

(A) LENGTH: 48 base pairs  
(B) TYPE: nucleic acid  
(C) STRANDEDNESS: single  
(D) TOPOLOGY: linear

## (ii) MOLECULE TYPE: Other

## (ix) FEATURE:

(A) NAME/KEY: Coding Sequence  
(B) LOCATION: 25...48  
(D) OTHER INFORMATION:

(A) NAME/KEY: Other  
(B) LOCATION: 1...48

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(D) OTHER INFORMATION: Amplimer 14DV389

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:1:

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48

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- (C) STRANDEDNESS: single

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TCG  
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(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: Other  
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(B) LOCATION: 1...38  
(D) OTHER INFORMATION: Amplimer csLEDV2449

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:6:

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38

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**A. CLASSIFICATION OF SUBJECT MATTER**  
 IPC 6 C12N15/40 A61K48/00

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

IPC 6 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>KONISHI E ET AL: "Induction of protective immunity against Japanese encephalitis in mice by immunization with a plasmid encoding Japanese encephalitis virus premembrane and envelope genes."  <i>JOURNAL OF VIROLOGY</i>, (1998 JUN) 72 (6)    4925-30. , XP002119029    the whole document</p> <p>---</p> <p>-/-</p>	1-30

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

<sup>o</sup> Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

15 October 1999

Date of mailing of the international search report

28/10/1999

Name and mailing address of the ISA

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## INTERNATIONAL SEARCH REPORT

Inten  
Application No

PCT/US 99/12298

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	LIN Y L (REPRINT) ET AL: "DNA immunization with Japanese encephalitis virus nonstructural protein NS1 elicits protective immunity in mice" JOURNAL OF VIROLOGY, (JAN 1998) VOL. 72, NO. 1, PP. 191-200. PUBLISHER: AMER SOC MICROBIOLOGY, 1325 MASSACHUSETTS AVENUE, NW, WASHINGTON, DC 20005-4171. ISSN: 0022-538X., XP002119030 NATL DEF MED CTR, INST PREVENT MED, POB 90048-700, 18 SIH YUAN ST, TAIPEI 100, TAIWAN (Reprint); NATL DEF MED CTR, DEPT MICROBIOL & IMMUNOL, TAIPEI 100, TAIWAN page 191 abstract ---	1-30
X	PHILLPOTTS R. J. ET AL: "Immunisation with DNA polynucleotides protects mice against lethal challenge with St. Louis encephalitis virus." ARCHIVES OF VIROLOGY, (1996) 141 (3-4) 743-9., XP002119031 the whole document ---	1,5-9, 13, 17-21, 25-34
X	VENUGOPAL K ET AL: "Immunity to St. Louis encephalitis virus by sequential immunization with recombinant vaccinia and baculovirus derived PrM/E proteins" VACCINE, vol. 13, no. 11, 1 January 1995 (1995-01-01), page 1000-1005 XP004057486 ISSN: 0264-410X the whole document ---	1,5-9, 13, 17-21, 25-34
X	WO 92 03545 A (VIROGENETICS CORP) 5 March 1992 (1992-03-05) page 8, line 10 -page 9, line 14 page 52, line 30 -page 71, line 4 ---	1-30
X	KOCHEL ET AL: "INOCULATION OF PLASMIDS EXPRESSING THE DENGUE-2 ENVELOPE GENE ELICIT NEUTRALIZING ANTIBODIES IN MICE" VACCINE, vol. 15, 1997, pages 547-552, XP002119032 cited in the application the whole document abstract ---	1-30
X	WO 90 01946 A (US GOVERNMENT) 8 March 1990 (1990-03-08) page 3, line 2 -page 10, line 30 ---	1-30
		-/-

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>DATABASE WPI  Section Ch, Week 199347  Derwent Publications Ltd., London, GB;  Class B04, AN 1993-373579  XP002119035  &amp; JP 05 276941 A (NIPPON ZEON KK),  26 October 1993 (1993-10-26)  <u>abstract</u>  -----</p>	2,3,10, 11,14, 15,22,23
A	<p>OSATOMI K ET AL: "COMPLETE NUCLEOTIDE  SEQUENCE OF DENGUE TYPE 3 VIRUS GENOME  RNA."  VIROLOGY, (1990) 176 (2), 643-647. ,  XP002119033  page 643  <u>abstract</u>  -----</p>	2,10,14, 22
A	<p>CHEN W ET AL: "Construction of intertypic  chimeric dengue viruses exhibiting type 3  antigenicity and neurovirulence for mice."  JOURNAL OF VIROLOGY, (1995 AUG) 69 (8)  5186-90. , XP002119034  page 5186  <u>abstract</u>  -----</p>	2,10,14, 22

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# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 99/12298

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.:

because they relate to subject matter not required to be searched by this Authority, namely:

Remark: Although claims 21-30 and 34 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

2.  Claims Nos.:

because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:

3.  Claims Nos.:

because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1.  As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.

2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.

3.  As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:

4.  No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

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## INTERNATIO

## SEARCH REPORT

Information on patent family members

Inter [redacted] application No

PCT/US 99/12298

Patent document cited in search report	Publication date	Patent family member(s)			Publication date
WO 9203545	A 05-03-1992	US 5514375 A	07-05-1996		
		AU 657711 B	23-03-1995		
		AU 8728791 A	17-03-1992		
		GB 2269820 A, B	23-02-1994		
		JP 6503227 T	14-04-1994		
		US 5744140 A	28-04-1998		
		US 5744141 A	28-04-1996		
WO 9001946	A 08-03-1990	AU 624863 B	25-06-1992		
		AU 4206489 A	23-03-1990		
		EP 0431064 A	12-06-1991		
		JP 3503364 T	01-08-1991		
JP 5276941	A 26-10-1993	NONE			

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